Agenda

Corporate Services Committee

Date:	Wednesday, 21 August 2019
Time:	14:00
Venue:	Council Chamber, Clydebank Town Hall, Dumbarton Road, Clydebank
Contact:	Craig Stewart, Committee Officer Tel: 01389 737251– craig.stewart@west-dunbarton.gov.uk

Dear Member

Please attend a meeting of the **Corporate Services Committee** as detailed above. The business is shown on the attached agenda.

Yours faithfully

JOYCE WHITE

Chief Executive

Distribution:-

Councillor Ian Dickson (Chair)
Councillor Jim Brown
Councillor Jim Finn
Councillor Diane Docherty
Councillor Daniel Lennie
Councillor Caroline McAllister
Councillor David McBride
Councillor Jonathan McColl
Councillor Iain McLaren (Vice Chair)
Councillor John Mooney
Councillor Lawrence O'Neill
Councillor Martin Rooney

Chief Executive
Strategic Director - Transformation & Public Service Reform
Strategic Director - Regeneration, Environment & Growth
Chief Officer - West Dunbartonshire Health & Social Care Partnership

Date of issue: 8 August 2019

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CORPORATE SERVICES COMMITTEE

WEDNESDAY, 21 AUGUST 2019

AGENDA

1 STATEMENT BY CHAIR – AUDIO STREAMING

The Chair will be heard in connection with the above.

2 APOLOGIES

3 DECLARATIONS OF INTEREST

Members are invited to declare if they have an interest in any of the items of business on this agenda and the reasons for such declarations.

4 MINUTES OF PREVIOUS MEETINGS 5 – 11

Submit for approval as correct records, the Minutes of Meetings of the Corporate Services Committee held on:-

(a) 22 May 2019 (Ordinary Meeting); and

(b) 19 June 2019 (Special Meeting).

5 MINUTES OF JOINT CONSULTATIVE FORUM – 13 JUNE 2019 13 – 16

Submit for information and where necessary ratification, the Minutes of Meeting of the Joint Consultative Forum held on 13 June 2019.

6 OPEN FORUM

The Committee is asked to note that no open forum questions have been submitted by members of the public.

7 CORPORATE SERVICES BUDGETARY CONTROL REPORT TO 31 JULY 2019 (PERIOD 4) To follow

Submit report by the Strategic Lead – Resources advising on the performance of the Corporate Services budget for the period to 31 July 2019.

8	**CORPORATE DEBT POLICY**	**17 – 34**

Submit report by the Strategic Lead – Resources seeking approval of the revised corporate debt policy.

9	**UPDATE ON PROGRESS OF THE PROCUREMENT STRATEGY 2017/2022**	**To follow**

Submit report by the Strategic Director – Transformation & Public Service Reform providing an update on the outcomes achieved in 2018/19 relative to the Corporate Procurement Strategy and confirming the action plan for 2019/20.

10	**STRATEGIC RISKS 2017-22**	**35 – 58**

Submit report by the Strategic Lead – People & Technology providing an update on the strategic risks for 2017-22.

11	**INFORMATION SECURITY POLICY REVIEW**	**59 – 93**

Submit report by the Strategic Lead – People & Technology providing an update on the Information Security Policy and secure approval of same.

12	**REVIEW OF SUPPORTING EMPLOYEE PERFORMANCE POLICY**	**95 – 117**

Submit report by the Strategic Lead – People & Technology providing an update on the review of the Supporting Employee Performance Policy and the proposed changes.

13	**REVISED EMPLOYER DISCRETIONS – LOCAL GOVERNMENT PENSION SCHEME (SCOTLAND)**	**119 – 135**

Submit report by the Strategic Lead – People & Technology providing an update on the review of the Council's Statement of Policy, and the proposed revisions to the Statement.

CORPORATE SERVICES COMMITTEE

At a Meeting of the Corporate Services Committee held in the Civic Space, Council Offices, 16 Church Street, Dumbarton on Wednesday, 22 May 2019 at 2.00 p.m.

Present: Councillors Jim Brown, Ian Dickson, Diane Docherty, Caroline McAllister, David McBride, Jonathan McColl, Iain McLaren, Lawrence O'Neill and Martin Rooney.

Attending: Joyce White, Chief Executive; Angela Wilson, Strategic Director – Transformation and Public Service Reform; Peter Hessett, Strategic Lead – Regulatory; Stephen West, Strategic Lead – Resources; Malcolm Bennie, Strategic Lead – Communications, Culture & Communities; Victoria Rogers, Strategic Lead – People & Technology; Laura Mason, Chief Education Officer; Annabel Travers, Procurement Manager; Stephen Daly, Citizen and Digital Manager and Craig Stewart, Committee Officer.

Apologies: Apologies for absence were intimated on behalf of Councillors Jim Finn, Daniel Lennie and John Mooney.

Councillor Ian Dickson in the Chair

STATEMENT BY CHAIR – AUDIO STREAMING

Councillor Dickson, Chair, advised that the meeting was being audio streamed and broadcast live to the internet and would be available for playback.

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Corporate Services Committee held on 13 February 2019 were submitted and approved as a correct record.

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MINUTES OF JOINT CONSULTATIVE FORUM 14 MARCH 2019

The Minutes of Meeting of the Joint Consultative Forum held on 14 March 2019 were submitted for information and, where necessary, ratification.

OPEN FORUM

The Committee noted that no open forum questions had been submitted by members of the public.

VARIATION IN ORDER OF BUSINESS

After hearing Councillor Dickson, Chair, the Committee agreed to vary the order of business as hereinafter minuted.

HOLIDAY HUNGER FUND

A report was submitted by the Chief Education Officer:-

(a) informing of plans to reduce holiday hunger across West Dunbartonshire; and

(b) informing of the governance regarding allocation, spend and impact of projects and funding.

After discussion and having heard the Chief Education Officer in further explanation of the report and in answer to Members' questions, the Committee agreed:-

(1) to note authority wide plans by partners to reduce holiday hunger; and

(2) to note ways in which the fund would be administered and governed.

PROCUREMENT ANNUAL REPORT

A report was submitted by the Strategic Lead - Resources providing details of regulated procurement during the period 1 April 2018 to 31 March 2019 and planned regulated procurement processes to 2020/21 and requesting approval of the Procurement Annual Report for publication.

After discussion and having heard the Strategic Director and relevant officers in further explanation of the report and in answer to Members' questions, the Committee agreed:-

(1) to note the information in relation to regulated procurement;

(2) to note the update on levels of compliant spend; and

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(3) to approve the Procurement Annual Report for publication.

STRATEGIC DELIVERY PLANS 2019/20

Reports were submitted by the four Strategic Leads presenting their 2019/20 Delivery Plans for the following service areas:-

(a) Communications, Culture & Communities
(b) People & Technology
(c) Regulatory
(d) Resources

After discussion and having heard the Strategic Leads in further explanation of their respective reports and in answer to Members' questions, the Committee agreed:-

(1) to note the 2019/20 Delivery Plans; and

(2) to note the progress made on delivery of the 2018/19 plans.

UPDATE OF VOLUNTARY GRANTS 2018/19 AND 2019/20

A report was submitted by the Strategic Lead – Resources providing an update of the voluntary grants approved by WDCVS in 2018/19 in respect of Community Chest, Playscheme, Cultural, and Social Transport Support Funding Grants. The report also provides information on the position regarding the Dumbarton Common Good Fund and the Provost's Fund.

After discussion and having heard the Strategic Lead in further explanation of the report and in answer to Members' questions, the Committee agreed:-

(1) to note the position of the grants paid out by WDCVS, Dumbarton Common Good and the Trust Funds in 2018/19;

(2) that an Elected Members' Briefing Note be prepared giving information on the applications that had been submitted to the Provost's Fund in 2018/19, including information on any application(s) that had been declined; and

(3) to approve the transfer of £2,380.02 from the 2019/20 grants budget to the Provost's Fund to reinstate the level to £3,000.

BI-ANNUAL WORKFORCE MONITORING REPORT (1 OCTOBER 2018 – 31 MARCH 2019)

A report was submitted by the Strategic Lead – People & Technology providing workforce monitoring information relating to October 2018 – March 2019.

The Committee agreed to note the content of the report.

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COUNCIL WORKFORCE PLAN 2017-2022: ANNUAL ACTION PLAN 2019/20

A report was submitted by the Strategic Lead – People & Technology advising on the Council's workforce planning activity for 2019/20.

The Committee agreed:-

(1) to note progress during 2018/19 in delivering against the Council Workforce Plan;

(2) to note the workforce profile as at 1 April 2019 and the key changes;

(3) to note the planned actions for 2019/2020; and

(4) to note that the Delivery Plans for each service would include workforce annual action plans.

EMPLOYEE WELLBEING: ATTENDANCE MANAGEMENT ANNUAL UPDATE 2018-2019

A report was submitted by the Strategic Lead – People & Technology providing detailed analysis on employee wellbeing and annual attendance performance for 2018/19.

After discussion and having heard the HR Business Partner People & Technology in further explanation of the report and in answer to Members' questions, the Committee agreed to note the following annual findings for reported absence in 2018/19:-

(1) The increase in annual sickness absence of 462.19 FTE days lost compared to the previous year for the Strategic Lead areas covered by Corporate Services Committee; and

(2) The increase in Council wide annual sickness absence of 2932.45 FTE days lost compared to the previous year.

EQUALITY OUTCOMES & MAINSTREAMING REPORT 2017-2021 - PROGRESS

A report was submitted by the Strategic Lead – Communications, Culture & Communities providing a midterm progress report on delivery of the Equality Outcomes and Mainstreaming Report for 2017-2021 approved in April 2017.

The Committee agreed to note the progress made in delivery of the Equality Outcomes over the period 2017-19

The meeting closed at 3.27 p.m.

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CORPORATE SERVICES COMMITTEE

At a Special Meeting of the Corporate Services Committee held in the Council Chamber, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday, 19 June 2019 at 2.04 p.m.

Present: Councillors Jim Brown, Ian Dickson, Diane Docherty, Daniel Lennie, Caroline McAllister, Jonathan McColl, Iain McLaren, John Mooney and Martin Rooney.

Attending: Joyce White, Chief Executive; Angela Wilson, Strategic Director – Transformation and Public Service Reform; Alan Douglas, Manager – Legal Services; Laura Mason, Chief Education Officer; Gillian McNeilly, Finance Manager; Gabriella Gonda, Committee Officer and Christine McCaffary, Senior Democratic Services Officer.

Apologies: Apologies for absence were intimated on behalf of Councillors Jim Finn, David McBride and Lawrence O'Neill.

Councillor Ian Dickson in the Chair

STATEMENT BY CHAIR – AUDIO STREAMING

Councillor Dickson, Chair, advised that the meeting was being audio streamed and broadcast live to the internet and would be available for playback.

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

OPEN FORUM

The Committee noted that no open forum questions had been submitted by members of the public.

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ENDING LONELINESS FUND

A report was submitted by Strategic Lead – Resources providing information as to how the Ending Loneliness Fund will be utilised and administered from 2019/20 to 2021/22.

After discussion and having heard the Chief Education Officer in further explanation of the report and in answer to Members' questions, the Committee agreed:-

(1) the proposed approach to the distribution of the funding as detailed in the report;

(2) to note the administrative arrangements to be used to manage the fund as detailed in paragraph 4.1 of the report, with the adjustment that decisions on applications will be made by the Council's Finance team; and

(3) to note that (i) a report will be submitted to the Corporate Services Committee annually providing an update on the scheme and (ii) that a report advising of any application(s) that had been refused will be submitted to the next available Corporate Services Committee.

YEAR OF THE YOUNG PERSON LEGACY FUND

A report was submitted by Chief Education Officer informing on plans to implement the Year of the Young Person Legacy Fund across West Dunbartonshire Council; and the governance regarding allocation, spend and impact of projects and funding.

After discussion and having heard the Chief Education Officer in further explanation of the report and in answer to Members' questions, the Committee agreed:-

(1) the proposed approach to the distribution of the funding;

(2) to note the plans to promote the fund; and

(3) to note the administrative arrangements to be used to manage the fund; and

(4) that a report will be submitted to the Corporate Services Committee annually providing details of any applications that had been refused.

GRANT APPLICATIONS

A report was submitted by the Strategic Lead – Resources providing information and making recommendations on two grant applications for awards from the Dumbarton Common Good Fund.

Having heard Councillor Dickson advise that a representative from Bellsmyre Development Trust SCIO was present, the Committee agreed to hear Mr Donnie Nicolson in support of the Development Trust's application.

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After discussion and having heard officers in further explanation of the report and in answer to Members' questions, the Committee agreed:

(1) to approve the full grant of £19,633 requested by Bellsmyre Development Trust SCIO;

(2) to approve the grant of £35,601 for 2019/20 requested by Bellsmyre Digital Trust;

(3) that a report be submitted to a future meeting of the Committee providing full detail on why Bellsmyre Digital Trust was requesting payment of the 2018/19 grant award; and

(4) that officers consider Service Level Agreements (SLAs) for Bellsmyre Development Trust SCIO and Bellsmyre Digital Trust.

The meeting closed at 3.35 p.m.

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JOINT CONSULTATIVE FORUM

At a Meeting of the Joint Consultative Forum held in 'The Bridge' Meeting Room, Council Offices, 16 Church Street, Dumbarton on Thursday, 13 June 2019 at 2.05 p.m.

Present: Councillors Ian Dickson, David McBride and Jonathan McColl; James Halfpenny (EIS); David Scott (GMB); Claire Mackenzie (SSTA); Val Jennings and Andy McCallion (UNISON); and Margaret Wood (Unite).

Attending: Angela Wilson, Strategic Director – Transformation & Public Service Reform; Malcolm Bennie*, Strategic Lead – Communications, Culture & Communities; Victoria Rogers, Strategic Lead – People and Technology; Stephen West, Strategic Lead – Resources; Alison McBride, Strategic People & Change Manager; Louise Hastings, HR Business Partner; Nigel Ettles, Principal Solicitor; and Gabriella Gonda and Scott Kelly, Committee Officers.

*Attended later in the meeting.

Apologies: Apologies for absence were intimated on behalf of Councillors Karen Conaghan, Jim Finn and Daniel Lennie; George Mitchell and John Wagner (GMB); David Smith (UNISON); Richard Cairns, Strategic Director – Regeneration, Environment and Growth; Ronnie Dinnie, Strategic Lead – Environment and Neighbourhood; and Claire Cusick, Senior Education Officer, Pupil Support.

APPOINTMENT OF CHAIR, VICE CHAIR AND JOINT SECRETARIES

The Principal Solicitor invited the Forum to consider, in terms of its constitution, the appointment, from the Trade Union Side, of the Chair of the Forum for the next year.

It was agreed that David Smith (UNISON) be appointed as Chair, it being noted that Mr Smith was not in attendance at the meeting.

The Principal Solicitor then invited an appointment to be made for the Vice Chair of the Forum from the Council Side.

It was agreed that Councillor McColl be appointed as Vice Chair and, in the absence of the Chair, Councillor McColl assumed the Chair.

Councillor Jonathan McColl in the Chair

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Councillor McColl, Chair, then requested that the Forum consider the appointment of two Joint Secretaries who would serve for the year ahead, one of whom should be nominated by the Council Side and the other by the Trade Union Side.

It was agreed that Andy McCallion be appointed as Joint Secretary for the Trade Union Side and Victoria Rogers, Strategic Lead – People and Technology, for the Council Side.

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Joint Consultative Forum held on 14 March 2019 were submitted and approved as a correct record.

Note: Mr Bennie entered the meeting at this point.

EMPLOYMENT RELATIONS MONITORING: 1 OCTOBER 2018 TO 31 MARCH 2019 AND ANNUAL 2018/19

A report was submitted by the Strategic Lead – People and Technology advising of progress on employment relations matters for the period 1 October 2018 to 31 March 2019 and annual analysis for the period 1 April 2018 to 31 March 2019 across the Council.

After discussion and having heard the HR Business Partner and the Strategic Lead in further explanation of the report and in answer to Members' questions, the Forum agreed:-

(1) to note that the HR Business Partner would send Ms Wood a note detailing the number of dismissals due to conduct in each directorate during 2018/19;

(2) to note that further discussion in relation to the development of a collective grievance policy would take place at an upcoming meeting of the Convenors Group;

(3) to note the terms of the discussion which had taken place in relation to the robustness of the disciplinary and grievance procedures and that the Strategic Lead had invited Ms Wood to raise with her or any of the HR Business Partners, outwith the meeting, any concerns which she may have in relation to the application of the procedures; and

(4) otherwise to note the contents of the report.

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EMPLOYEE WELLBEING: ATTENDANCE MANAGEMENT ANNUAL UPDATE 2018/19 (COUNCIL WIDE)

A report was submitted by the Strategic Lead – People and Technology providing detailed analysis on Council wide employee wellbeing and attendance performance for 2018/19.

After discussion and having heard the HR Business Partner, the Strategic Lead and the Strategic Director in further explanation of the report and in answer to Members' questions, the Forum agreed:-

(1) to note that large variances in absence could be seen in the smaller Strategic Lead Areas as a result of changes in the circumstances of relatively few employees;

(2) to note the concerns expressed by Ms Wood in relation to the estimated annual cost of absence;

(3) to note that Elected Members had previously requested that the cost of absence be estimated and that this was calculated by multiplying the total number of FTE days lost by the average cost of a day's pay, and, as had been requested, the figure did not include overtime or agency costs which were reported separately;

(4) that it would not be feasible for managers to estimate the loss of productivity which resulted from each individual absence;

(5) that it may be helpful if in the future the estimated 'cost' of absence was instead described as an estimated 'value' of productivity lost and if more information could be given as to how the figure had been arrived at; and

(6) otherwise to note the annual findings for reported absence in 2018/19 and in particular:-

    (a) the increase in Council wide annual sickness absence of 2,932.45 FTE days lost compared to the previous year; and

    (b) that there had been no change in the top three reasons for absence since 2017/18 but that the levels of absence linked to these reasons had decreased.

TRADES UNIONS ISSUES

The Forum noted that the Trades Unions had not provided, in advance of the meeting, any issues which they wished to raise.

However, Councillor McColl, Chair, allowed Mr McCallion to raise a matter.

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Terms and Conditions of Employment

Mr McCallion requested an update in respect of proposed changes to terms and conditions of employment.

Councillor McColl, Chair, was heard in response and advised that the Administration was currently giving consideration to proposals which had been produced by officers and would determine after the summer recess whether these should be taken forward.

After discussion and having heard the Strategic Lead – People and Technology in clarification, the Forum agreed:-

(1) to note that the document which had been submitted by officers to the Administration had previously been submitted to the Trades Unions at a meeting of the Conveners Group and that it included a range of adjustments which officers considered necessary to safeguard the organisation; and

(2) that depending on the outcome of the Administration's consideration of the proposals, a report may be submitted to the first meeting of the Corporate Services Committee after the summer recess.

PROGRAMME OF FUTURE MEETINGS

Having heard Councillor McColl, Chair, the Forum provisionally agreed the undernoted dates and times of future meetings of the Joint Consultative Forum, it being noted that any issues with the programme should be raised at the next meeting:-

- Tuesday, 3 September 2019 at 2.00 p.m. in the Council Chamber, Clydebank Town Hall.
- Thursday, 5 December 2019 at 2.00 p.m. in the Civic Space, 16 Church Street, Dumbarton.
- Thursday, 12 March 2020 at 2.00 p.m. in the Council Chamber, Clydebank Town Hall.
- Thursday, 11 June 2020 at 2.00 p.m. in the Civic Space, 16 Church Street, Dumbarton.

The meeting closed at 3.10 p.m.

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WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Lead - Resources

Corporate Services Committee: 21 August 2019

Subject: Corporate Debt Policy

1. Purpose

1.1 The purpose of this report is to seek Committee approval of the revised corporate debt policy.

2. Recommendations

2.1 It is recommended that Committee approve the attached revised corporate debt policy.

3. Background

3.1 The current corporate debt policy was approved by Corporate Services Committee on 13 May 2015 to ensure effective recovery and control of all revenue debt owed to the Council by using a holistic approach to recovery. With the full rollout of Universal Credit and the ongoing improvements to the Council's processes around billing and payments, this policy requires to be updated and reviewed.

4. Main Issues

4.1 The draft revised corporate debt policy document is attached as Appendix 1. The policy aims to ensure effective recovery and control of all debt owed to the Council. It ensures that debt recovery methods are holistic, flexible and take into account the needs of individual households.

4.2 The main changes to the policy since the previous iteration are:

i. Reference to Universal Credit (UC) as the Council went live with full UC rollout in November 2018; and
ii. Reference to improvements to billing processes by allowing service users to set up payment plans underpinned by annual bills where feasible and an improved range of payments options.

5. People Implications

5.1 There are no people implications.

6. Financial & Procurement Implications

6.1 The Council's ability to deliver services which meet the needs of its citizens and current financial constraints experienced by the Council depends heavily on the success in collecting revenues. This policy reinforces the importance of revenue collection.

6.2 There is no procurement impact of this policy

7. Risk Analysis

7.1 The collection of charges made by the Council is important in terms of the financial sustainability of the Council and the revised policy aims to support the ongoing collection of charges in an efficient manner.

8. Equalities Impact Assessment (EIA)

8.1 No issues were identified in a screening for potential equality impact of this policy.

9. Consultation

9.1 Consultation has taken place with Customer & Community, Working4U, Housing, Finance and Legal Services.

10. Strategic Assessment

10.1 Sound financial practice and budgetary control are imperative to assist with the governance of the Council and supports officers of the Council in achieving the five strategic priorities of the Council's Strategic Plan. This report forms part of the financial governance of the Council.

……

Stephen West
Strategic Lead - Resources
Date: 1 August 2019

Person to contact: Arun Menon, Business Support Manager,
Church St, Dumbarton.
Tel: 01389 737832
Email: arun.menon@west-dunbarton.gov.uk

Appendix: Draft Updated Corporate Debt Policy

Background Papers: Equalities Impact Assessment Screening

Wards affected: All Council wards

CORPORATE DEBT POLICY

FRAMEWORK DOCUMENT

21 August 2019

West Dunbartonshire COUNCIL

1. Introduction

The purpose of this document is to describe the corporate approach to debt collection for West Dunbartonshire Council.

Implementing a Corporate Debt Policy was identified as an essential element for local authorities in the coherent management of debt in terms of Regulations under the Debt Arrangement and Attachment (Scotland) Act 2002.

The Corporate Debt approach adopted aims to ensure a joined-up approach is employed by the Council to employ a system and processes which gathers together all debt owed to the Council by an individual to streamline recovery and fair and equitable treatment in dealing with the individual's debts.

This policy is the Council statement on how it will work with its citizens, customers and partners to collect debt. It outlines what it will do to help those who are in debt to manage their payments to the Council whilst paying their debts. The policy is in recognition that it is important to communicate our approach to debt management to key stakeholders as it promotes efficiency and consistency in the raising and collection of debt. This is a significant policy as the collection of due income is vital in providing resources to continue to deliver Council services.

The policy complements the wider strategies of the Council in relation to sound financial governance systems in place whilst being aware of financial inclusion and capability. The aim of the policy is also to achieve good practice in collection of monies due. Good practice is considered to be the achievement of the best possible income recovery for the Council whilst ensuring that the liability to pay is calculated correctly, enforcement action is reasonable and those who are vulnerable are assisted in meeting their financial obligation to the Council.

Whilst it sets out the general principles to be applied in relation to debt collection and management across all services provided by the Council, it is to be used together with more detailed procedural guidance for employees. The detail of how the corporate approach to debt collection for Council Tax, Non Domestic Rates (NDR), House Rents and Sundry Debtors works is outlined in section 5.

2. Background

The Council has a duty to collect all debts due as quickly and economically as possible. The Council's ability to deliver services to meet the needs of its residents depends heavily on its success in collecting revenues.
The Council is committed to promoting financial inclusion and capability and in doing so recognises the problems of multiple indebtedness, poverty and deprivation, and the need to break the poverty trap by helping residents to meet their liabilities in a supported, controlled and managed manner.

The Council will integrate the work of Working4U through the advice partnership which consists of Citizens Advice Bureau, Independent Resource

Centre and WDC advice services for benefit, debt and money advice into the debt collection process and recognises the benefits that these organisations can offer both the debtor and the Council.

3. Objectives

Included in the Council's Strategic Plan is the vision to improve prosperity and inclusion for all citizens and the delivery of high quality services.

Our aim is to maximise income collection, where necessary assisted by ensuring maximising benefits uptake where appropriate. This will be achieved through making sure that all discounts, exemptions, Universal Credit (UC), Housing Benefit (HB), Council Tax Reduction (CTR) claims, Scottish Welfare Fund (SWF) assistance and free school meals and clothing grants have been claimed with signposting and referral of financially vulnerable people to the Advice Partnership for assistance.

We consider that individuals have a responsibility to pay all amounts properly due to the Council. To achieve this we will:

- Encourage individuals to contact the Council as soon as they have problems paying;
- Encourage individuals to pay on time and, where relevant, regularly to thereby prevent a culture of non-payment;
- Prioritise preventative measures such as advice on benefit availability and discounts and exemptions;
- Focus on the ability to pay whichever type of debt is due;
- Offer a range of easily accessible payment methods;
- Acknowledge and respect the individual's obligations to their dependants;
- Offer a sensitive and flexible approach to debt collection whilst ensuring that monies due are effectively and efficiently recovered for the benefit of the whole community;
- Take account of the whole financial situation of the debtor and collect debts in a sympathetic and efficient way while ensuring our approach is transparent, consistent and equitable.
- Aim to achieve a fair balance between the claims of competing creditors, in recognition of the need for the individual to maintain an acceptable standard of living;
- Ensure that a co-ordinated approach to debt is taken by all Council services;

- Provide advice on available charge reductions e.g. UC (Housing Element), HB and CTR, where appropriate;

- Offer specialist, independent debt advice by referral to the Advice Partnership;

- Recognise the debt advice provided by advice agencies as best practice;

- Treat all debtors as individuals and consider, wherever possible, individual circumstances when taking action to recover debt(s); and

- Try to reach satisfactory arrangements for payment of debts at all stages of recovery recognising that where this cannot be achieved, we will take recovery action using the appropriate legal powers.

3.1 The Benefits of a Corporate Debt Policy

A corporate debt policy will:

- Enable individuals to come to realistic repayment agreements;

- Ensure that we take appropriate enforcement action as required;

- Ensure that staff involved in the recovery of debt have a holistic approach to corporate debt;

- Ensure that individuals are offered appropriate advice as early as possible to attempt to manage their debt better and facilitate better collection rates by the Council; and

- Ensure we comply with the Council's Financial Regulations and Standing Orders.

4. Code of Practice for Collecting Debts

This policy applies to all debt owed to the Council. The policy will recognise the Council's strategic priority for protection of vulnerable individuals and as such we will seek to ensure that vulnerable individuals are not harmed by this policy. Those who might be potentially vulnerable include:

- the elderly;
- lone parents and their children;
- those with additional support needs;
- people with a chaotic lifestyle e.g. in prison, etc.;
- people with disabilities or a long term illness and their carers;
- unemployed people and others reliant on benefit;
- young people; and
- people on low incomes.

4.1 Communication and Contact with the Council

We will:

- Ensure all Council bills, invoices, etc. are raised as soon as practicable, and will include clear, relevant and full information as to:

  a) What the bill is for;
  b) When payment is due;
  c) How and where to pay; and
  d) How and who to contact for further information and/or advice.

- Provide interpreting facilities for non-English speaking customers;

- Encourage individuals to make contact at an early stage of the recovery process;

- Provide clear information about all aspects of collection and debt recovery including where advice and help is available;

- Communicate clearly and without jargon;

- If you write to us, attempt to fully respond to your query in 10 working days. If we cannot do this, we will contact you and tell you why and who is dealing with your query, and when you can expect a full response;

- If you make a complaint, acknowledge your complaint within 2 working days and inform you who will be dealing with your complaint; and

- Respond to your first stage complaint in 5 working days and respond to a second stage complaint within 20 working days. If we cannot answer your complaint within the timescales provided we will contact you and tell you why and when you can expect a full response.

4.2 Collection and Recovery Process

We will:

- Promote an approach within the Council that goods and services provided by the Council are paid prior to; or on provision/delivery;

- Provide a wide variety of payment methods;

- Provide and make widely available clear and concise information about the statutory recovery processes available to us and our approach to and provisions for people with financial difficulties;

- Use the full range of statutory powers available to us to obtain payment; and

- Make every effort to adhere to the timetable/ limits we set for recovery procedures.

4.3 Repayments

We will:

- Negotiate with debtors for repayments, taking account of personal circumstances, where appropriate and making reference to the requirements under the Bankruptcy and Debt Advice (Scotland) Bill 2014;

- Recognise payment proposals from money advice agencies, when negotiating repayments with all debtors in line with the requirements in utilising The Common Financial Statement (CFS);

- Acknowledge the distinction between can't and won't pay. The Policy will seek to promote financial inclusion and early intervention by recognising that debtors may have underlying problems with money management or may not be receiving all the financial assistance to which they are entitled;

- Allocate repayments for multiple debts in such a way that recognises (where relevant) rent arrears as the priority of preventing homelessness and sustaining tenancies; Council Tax; Non-Domestic Rates; and Sundry Debts; and

- We will use a variety of collection methods including attachment of earnings, court orders, bankruptcy and sequestration, deductions from income support, job seekers allowance and employment support allowance and alternative payment arrangement (APA) for UC claimants.

4.4 Employees as Debtors to the Council

It is expressly stated in the Council's Terms and Conditions of Employment that employees have a duty to make any payments due to the Council in good time. If a debt owed is by an employee and no sustainable payment arrangement is in place and maintained, the Council will be entitled to make appropriate deduction from employee's pay without the employee's further agreement. The employee will be notified of any such arrangement being put into place.

4.5 Debt Collection Agents and Sheriff Officers

When the Council has exhausted our in-house arrears procedures the debt (including Council Tax, Non Domestic Rates, Sundry Debt and Former Tenant Rent Arrears) is passed to the Council's Sheriff Officers for attempted collection. The Sheriff Officers will attempt to collect the debt using a variety of approaches and solutions which are appropriate to each individual case, such as:

- Issue letters, SMS text campaigning, outbound telephony campaigning;
- Conclude payment arrangements;
- Issue Notice of legal proceedings letters;

- Undertake visits to commercial premises and issue Charges for Payment together with a Debt Advice and Information Pack (DAIP) served where appropriate; and
- Take enforcement action in terms of Debtors (Scotland) Act 1987 in line with legislation.

They also provide services for current rent arrears including execution of diligence which includes service of a Court Summons, service of a Charge for Payment/Charge for Removing, instructing earnings/bank arrestment and conducting evictions.

It is vital for agents undertaking any collection activity on behalf of the Council to work to a clear strategy for how these externally provided activities are selected, implemented and managed. The Council will at all times retain responsibility for any debt passed to a collection agent or sheriff officer.

The Council will also ensure that external agents are made aware of vulnerable situations and treat all debtors with respect.

Enforcement agents/agencies must recognise that each has a role in ensuring that the vulnerable are protected and that their recovery process is as agreed between the agent/agency and the Council.

Wherever possible, enforcement agents should have arrangements in place for rapidly accessing translation services when these are needed, and provide, on request, information in large print or in Braille for debtors with impaired sight.

Collection agents and Sheriff Officers appointed by the Council will operate within the Code of Practice set by the Council.

Should the Sheriff Officers be unsuccessful the Council will consider the further pursuit of the debt through a Second Placement Debt Management Partner. This will provide a more focussed approach and will identify potential problems and support the Council in implementing the appropriate recovery strategies.

4.6 Late or Missed Payments

All Council charges are due for payment by their stated due date. Failure to pay by the due date will result in the issue of reminders. Individuals are responsible for ensuring that payments reach us by the due date. Those who anticipate problems in making payment on time will be actively encouraged to contact us to discuss alternative payment arrangements.

Payment arrangements will be closely monitored, with appropriate recovery action being taken for late or missed payments.

4.7 Payment Arrangement

All payment arrangements will be entered-into by the Council on the basis that payment will be made as agreed. While entering into a payment

arrangement, staff will ensure that the debtor can afford the arrangement. This is to ensure that unrealistic arrangements are not entered into which lead to additional work for the Council and inconvenience for the Debtor.

4.8 Billing

The Council has streamlined and will continue to streamline its billing and payment processes to, not only make it simpler for our service users to pay, but also for our staff to administer. In that respect we will:

- Streamline billing processes where service users receive as few invoices as possible for cross-Council services. In most cases this will be an Annual Bill;

- Provide Council service users with improved payment method options, such as payment plans (with subscriptions) and direct debit. Both of these payment methods will reduce paper invoice production and postage. It also reduces the requirement for account amendments and staff interventions by ensuring monies paid by service users are linked to the relevant invoice for up to date account information;

- Introduce consolidated billing via online invoicing;

- Improve overall customer service for affordable payment options across all invoicing categories;

- Ensure, where service users are unable to manage any of the payment options provided by the Council, despite support from the service area; or do not have a regular bank account which underpins these means of payment, alternatives will be considered; and

- Increase scope for integrating back office systems where feeders to the finance system will remove inputting to a second system thereby reduce double keying. This will ultimately improve accuracy and service timescales for invoicing.

4.9 Payment Options

The Council recognises the need to make it as easy as possible for its service users to pay their bills. In order to reduce the cost to the Council and, therefore, local taxpayers the most cost effective methods of payment will be encouraged. For most bills this will be Direct Debit because it is, by far, the most economical collection method available. It is also very reliable, easy to set up and cancel for the service user and is backed by a refund guarantee.

4.10 Evasion and Fraud

The unlawful evasion of payments due to the Council reduces the financial resources available to the Council and has a direct impact on all residents, businesses and other organisations that rely on Council services. Unlawful evasion or fraud to avoid payment will not be tolerated and where this is identified, in addition to taking action to enforce payment, the Council will seek

to impose such further penalties or sanctions as the law allows. Where debts arise through evasion or fraud, the Council will seek to recover payment in full as quickly as possible and will only agree payment arrangements in exceptional circumstances.

4.11 Write-Offs

The Council recognises that where a debt is irrecoverable, prompt and regular write-off of such debts is appropriate in terms of good accounting practice. The Council will seek to minimise the cost of write-offs by taking all necessary action to recover what is due. All debts will be subject to the full collection, recovery and legal procedures as outlined in our write-off guidelines below.

Where it has not been possible to collect a debt, authorisation to write these debts off will be requested to:

- the Section 95 Officer if the debt is under £5,000; or
- the relevant Council Committee if the debt is more than £5,000.

Write-offs will be requested in the following circumstances:

Deceased
When a person dies and leaves no estate. Before seeking write-off approval records are checked to determine whether any estate exists against which a claim could be made.

No Forwarding Address
Unfortunately many people in arrears leave their property leaving no forwarding address. Prior to seeking write-off approval every effort is made to trace the debtor(s). Records are checked and outside agencies are contacted to try to ascertain the debtor's address.

Prescribed
A debt cannot be enforced after 5 years from the date it became due. The period applies in the absence of a relevant claim e.g. summary warrant or court decree, or acknowledgement of the debt via letter or payment. Where a relevant claim has been made (Summary Warrant or Decree), statute advises that all debts cannot be legally collected after 20 years of the last payment or acknowledgement of the debt and a debt automatically becomes prescribed at that point. The relevant law is contained within the Prescription and Limitation (Scotland) Act 1973.

Unreasonable to Pursue
There are various reasons why it may be unreasonable to pursue a debt and examples include:

- Where a person is permanently hospitalised or goes into residential care their income is used firstly towards the cost of their care, as is any capital which the person may have. It is often unreasonable to pursue any debt from people in this category due to personal financial circumstances;

- People who cannot deal with their debt problems due to mental illness, dementia or learning disability; and

- Tenants who receive a custodial sentence will have their debt written-off for the period of their sentence, this will be reinstated upon their release.

Uneconomical to Pursue
Where the debt is below £75 we will not pursue this through court proceedings.

4.12 An Effective Policy

For the policy to be effective we will ensure:

- A maximisation of payment for services and goods ahead or on provision;

- Accurate, clear and prompt billing arrangements;

- A quick response to changes in circumstances;

- Fast and accurate delivery of entitlement to any benefit, discount or charge reduction;

- Offers of referral to advice partnership as early in the process as appropriate;

- An ability to follow through on publicly known enforcement actions within previously publicised timescales; and

- The sharing of relevant information between services, subject to the EU General Data Protection Regulation (GDPR) and the Data Protection Bill requirements.

5. Recovery Processes

5.1 Recovery of Council Tax

5.1.1 Council Tax is a tax levied on eligible domestic dwellings. The amount of Council Tax levied is dependent on the Council Tax band that the property falls into and the amount of tax the Council wishes to be raised.

5.1.2 The full rate of Council Tax is liable to be paid unless the property, owner or occupier is eligible for a reduction or exemption.

5.1.3 The Council Tax Administrative and Enforcement (Scotland) Regulations 1992 and the Local Government Finance Act 1992 prescribe the legislative procedures that the Council must follow in the event of non-payment of Council Tax.

5.1.4 Under statute where a Council Tax monthly instalment is not received by the due date then the Council will serve a Notice on each joint and severally liable person. The Notice will ask for payment of the instalment due within 7 days. If after 7 days payment is not received the taxpayer will lose the right to pay by instalments and the full Council Tax amount is due and payable. At that point a Final Demand Notice is issued requesting payment within 14 days.

5.1.5 A taxpayer who previously received a Reminder and brought their account up to date but who then falls back into arrears is issued with a Final Demand Notice.

5.1.6 If after 14 days from the serving of a Final Demand Notice the Council Tax remains unpaid then the Council will make an application to the Sherriff Court in Dumbarton for a Summary Warrant to be granted and a 10% Statutory Addition to be added to each outstanding Council Tax debt listed on the Summary Warrant petition. Summary Warrant Notices will then be issued to the taxpayer detailing the total amount due including the penalty.

5.1.7 If the Summary Warrant Notice is not paid in full the debt will be passed to a Sherriff Officer for collection unless the debtor makes and maintains an arrangement. The Sherriff Officer can, if they do not receive payment in full, enforce one of the relevant diligences available to them e.g. wage/bank arrestment or attachment.

5.1.8 On receipt of any of the above Notice from the Council or Sherriff Officers a debtor can contact the Corporate Debt Team to make arrangement for payment of any balance or to notify of any discrepancies.

5.1.9 Direct deductions from Department for Works and Pensions (DWP) benefits will be used for debtors on relevant welfare benefits giving due consideration to any financial impact on the debtor.

5.1.10 Direct deduction from pay will be used where the debtor is a West Dunbartonshire Council employee (see 4.4).

5.2 Recovery of Non Domestic Rates

5.2.1 Non Domestic Rates is a tax levied on business properties which the Council statutorily administers on behalf of the Scottish Government.

5.2.2 Billing is carried out annually in April and twice weekly thereafter. Bills contain all statutory data together with details of common reliefs available. In terms of the Local Government (Scotland) Act 1975 Section 8(1) Rates shall be payable by ten instalments beginning in the second month and ending in the penultimate month of the year. However, the Council offers alternative payment plans (including over 12 months) in terms of Section 8(7)(a) of the Local Government Scotland Act 1975 which allows a local authority to come to an

agreement with an individual to pay rates otherwise than in accordance with section 8(1).

5.2.3 The Local Government (Scotland) Act 1947 as amended prescribes the legislative procedures that the Council must follow to recover non-domestic rates.

5.2.4 Under statute where the equivalent of four monthly instalments have not been paid by the 30 September then a ratepayer loses the right to pay by monthly instalments and the balance of rates outstanding becomes payable. Similarly, if at any time after the 30 September a ratepayer is in arrears of more than two monthly instalments then the full amount outstanding is due immediately.

5.2.5 The Council will serve a statutory Final Notice on a ratepayer who has lost the right to pay by monthly instalments. Payment must be made within 14 days.

5.2.6 If after 14 days from the serving of a Final Notice the bill remains unpaid, the Council will make an application to Dumbarton Sheriff Court for a Summary Warrant to be granted and a 10% Statutory Addition added to each outstanding Non Domestic Rates debt listed on the Warrant petition. Summary Warrant notices will then be issued to the customer detailing the total amount due including the penalty.

5.2.7 If the Summary Warrant notice is not paid in full the debt is passed to our Sheriff Officers for collection.

5.2.8 The Sheriff Officer may enforce payment of the arrears by various forms of diligence available to them e.g. bank arrestment, money attachment, sale of attached goods. The Council also has the option once an account is at Summary Warrant stage to raise an action to petition the ratepayer for sequestration/liquidation.

5.2.9 The ratepayer can contact the Council at any stage of recovery to enter into a payment plan for repayment of the sum due or to discuss issues in relation to the amount charged. Ratepayers can only contact the Sherriff Officer for accounts at Summary Warrant that have been passed to the Sherriff Officer for collection to discuss repayment plans or issues in relation to the amount charged.

5.2.10 Corporate Service Committee agreed to publicise business that failed to pay their Non-Domestic Rates in line with the Non-Domestic Rating (Collection and Enforcement) Regulations following attempts by the Council to engage either for payment and/or to assist with any reductions/reliefs where available. This will continue to be monitored and published on the Council's web site.

5.3 Collection of Council Housing Rents

5.3.1 The Council is a landlord of approximately 10,500 Council housing properties.

5.3.2 The Tenancy Agreements between the Council and its tenants explains the tenant's responsibility to pay rent in advance. When this fails early intervention is crucial to engage with the tenant to provide advice and support to sustain their tenancy and prevent home loss due to arrears.

5.3.3 We provide a staged, but escalated, process to recover rent arrears with legal action only taken where there is an intention to seek Decree for Eviction and Payment. Legal action will not be taken where the tenant has arrears due only to under occupancy and / or if they have engaged with the Council and have an agreed payment plan in place that they are conforming with.

5.3.4 We ensure that all seven Pre-Action Requirements (PARs) as required under the Housing Scotland Act (as amended) 2012 are met before we formally serve Notice on tenants that we intend to take court action on which could end their tenancy. Eviction is only used as a last resort where all other methods have failed. All eviction actions are discussed with and approved by the Head of Housing and Communities.

5.3.5 The Council has a separate rent collection strategy that provides more detail on collection processes for both former and current tenant rent arrears.

5.4 Collection of Sundry Debts

5.4.1 The Council is responsible for billing and collection of all charges levied by the Council for goods and services provided and plays a significant part in funding the Council's overall budget. These are for goods or services that are not Council Tax, Non Domestic Rates or Housing Rents, and are known as Sundry Debts.

5.4.2 The responsibility for raising charges lies with the relevant service area that provides the service or goods to the customer. The expectation is that in the majority of cases the collection of the fee or charge involved takes place either prior to, or at the point of the service being provided.

5.4.3 Where a charge is made in advance/ or at the point of provision this minimises the requirement for invoicing and any required collection follow-up action. However, where invoices are required the issuing service should issue them as soon as possible and generally no later than 10 days of the goods or service being supplied.

5.4.4 Where a Sundry Debt is in dispute, the debt will remain the responsibility of the issuing service as does the resolution of the dispute. The dispute must be resolved within 20 working days of the receipt of the complaint. Where a dispute cannot be resolved within 20 working days, the issuing service must notify the Finance Service Centre or Corporate Debt Team of the reason, indicating when the dispute will be resolved. This will allow a hold to be placed on the

account temporarily delaying any further follow-up action, including the debt being passed to Sheriff Officer.

5.4.5 Debtors are advised on the invoice for Sundry Debts that payment is payable no later than 10 days of the goods or service being supplied or date of due agreed payment plan instalment.

5.4.6 Where an account remains unpaid 21 days after the due date/date of issue debtors will be issued with a Legal Proceedings Letter giving a further 14 days to make payment. This will indicate that failure to settle the account within a further 14 days will result in the matter being referred to Sherriff Officers for collection and/or considered for court action.

5.4.7 Where the debtor is unable to settle the required outstanding balance by the due date, an arrangement can be made to pay by instalments. In all cases the repayment period will be for the shortest affordable term possible.

6. Performance Monitoring

The Council's Performance Management Framework sets out how each department will monitor, manage and report on performance information from their departmental plans

The framework comprises a suite of both statutory and local Performance Indicators to assess how well the corporate debt section is performing. These indicators are reviewed and set annually taking into account benchmarking information, previous performance and our drive for continuous improvement.

Performance measures are based on individual debt collection rates for each type of debt. Collection rates for Council Tax, Housing Rents and Non Domestic Rates and are reported to the relevant Committee. Sundry Debt and Employee Debt are reviewed internally.

7. Review of Policy

The Corporate Debt policy will be reviewed in the light of any legislative changes, trends or other factors that impact on the effectiveness of the policy.

WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Lead – People & Technology

Corporate Services Committee: 21 August 2019

Subject: Strategic Risks 2017-22

1. Purpose

1.1 To provide an update on the strategic risks for 2017-22.

2. Recommendations

2.1 It is recommended that the Committee note:

- The strategic risks as detailed at Appendix 1.

3. Background

3.1 Since the Council first developed and published strategic risks in 2008, they have been incrementally refined in line with strategic plans. The appended risks were reviewed in 2017 and are re-assessed bi-annually before being reported to this committee.

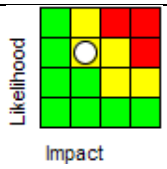
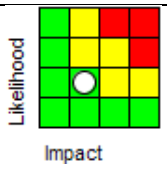
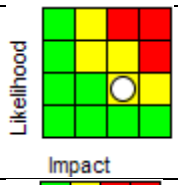
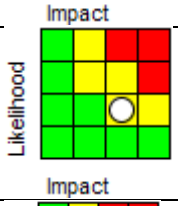
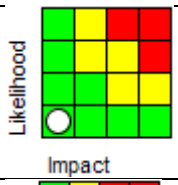
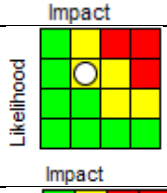
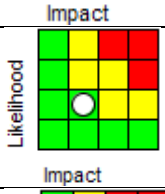
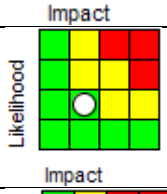
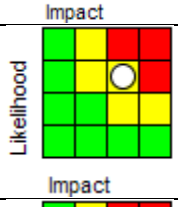
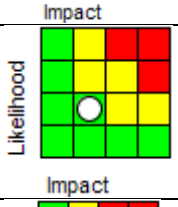
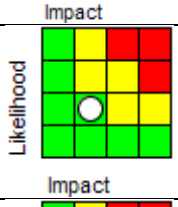
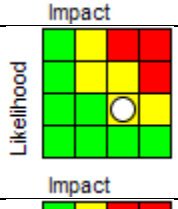
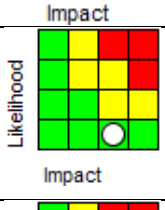
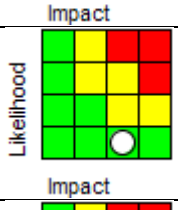
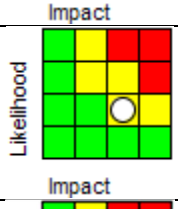
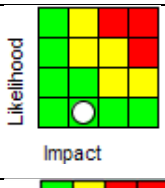
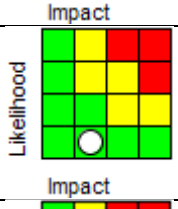
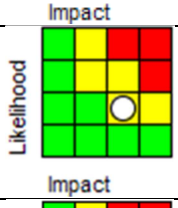
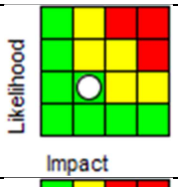
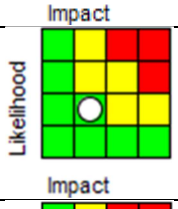
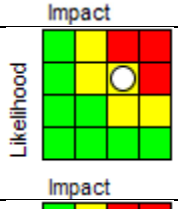
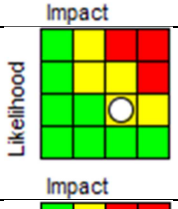
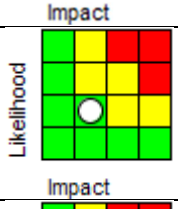
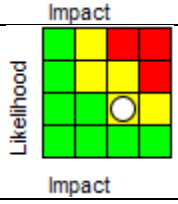
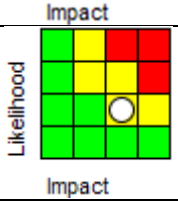
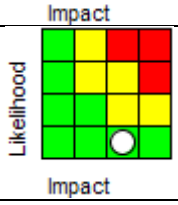
4. Main Issues

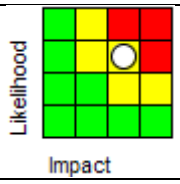
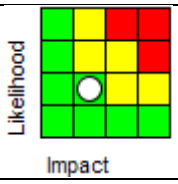
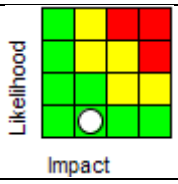
Strategic Risk

4.1 In line with the Council's Risk Management Framework, a re-assessment of the strategic risks has taken place as detailed within Appendix 1. Each risk is managed through internal controls, linked actions and associated milestones with the objective being to reduce or stabilise the level of risk through completion of linked actions over a period of time and / or ensure mitigation factors are adequate should the risks actually materialise.

4.2 Table 1 represents a risk dashboard that includes information on the original, current and target ratings for each strategic risk, as well as an assessment of the current risk status. Each strategic risk is identified and supported by more detailed information available on a "drill-down" basis in Appendix 1. All nine Strategic Risks, associated actions and milestones are progressing as expected and likely to reach their assigned targets.

Table 1 Key Strategic Risk Information

Strategic Risk	Original Risk 2017	Current Risk 2019	Target Risk 2022	Risk Status Rationale
SR 001 Financial Funding.				
SR 002 School improvements.				
SR 003 Council Assets.				
SR 004 Information Technology.				
SR 005 Partnerships.				
SR 006 Citizens and Communities.				
SR 007 Health and Safety of Employees and Others				
SR 008 Cyber Attack.				
SR 009 Early Years Agenda.				

SR 010 Resourced Workforce.				

Risk Methodology and Reporting

4.3 Each strategic risk is populated in Pentana in terms of the following template:

- Risk title and code;
- Description;
- Ownership;
- Potential effect;
- Measures of impact;
- Risk factors;
- Internal controls;
- Risk opportunity; and
- Linked actions.

4.4 Each risk has been scored using a “4 x 4” matrix for likelihood and impact in relation to:

- Current risk (with review dates set at pre-determined intervals); and
- Target risk (i.e. 31 March 2022 - the duration of the Strategic Plan).

The risk descriptors used in the “4 x 4” matrix are as follows:

Likelihood

Score	Descriptor
1	Unlikely
2	Likely
3	Very likely
4	Certain

Impact

Score	Descriptor
1	Minor
2	Moderate
3	Significant
4	Critical

4.5 For ownership, each strategic risk is “Managed By” a Strategic Lead and “Assigned To” a Service Manager. Strategic risks are reported on a bi-annual

basis to the Performance & Monitoring Review Group and Corporate Services Committee.

Service Risk

4.6 Following the methodology in 4.3 to 4.4 above, each service has service owned operational risk registers in Pentana; these will be further developed and updated through the 17-22 strategic plan.

4.7 The Section Head – Risk & Health and Safety is currently working with the Civil Contingencies Service (CCS) in exploring the risks associated with Britain's exit from the EU and potential impact on services, developing the Council Brexit Contingency Plan which shall be further developed as the council strategic risk once exit takes place.

Strategic Risk Management Training

4.8 As part of the Management Development Programme risk management training has been delivered to new and middle managers, another session is being planned for Regulatory Services.

4.9 A commitment has also been made to deliver risk management training, through Gallagher Basset, to members of Community Planning West Dunbartonshire. This will be built into the 2019/20 schedule for the partnership.

4.10 Through discussion with the procurement and insurance sections and the council's insurance brokers, a more tailored session will be developed and delivered on procurement and insurance risk for the procurement teams by November 2019.

5. People Implications

5.1 There are no people implications associated with this report.

6. Financial and Procurement Implications

6.1 There are no financial and/or procurement implications.

7. Risk Analysis

7.1 Failure to progress on risk management is likely to result in the Council being criticised by External Audit for not having an integrated approach to embedding risk management within the authority with the result that a "no scrutiny required" status will not be achieved.

7.2 Progressing with risk management will demonstrate that the Council is taking ownership of risk management so that effective measures will be put in place

for the management of risk. The ability to demonstrate risk ownership should benefit the Council in terms of:

- Understanding risk and its potential impact on the Council's priorities and objectives;
- Reducing insurance premiums going forward by recognising that a mature approach to risk management will contribute to a reduction in the number and value of claims across a range of insurance classifications;
- Contributing towards incident prevention based upon post-incident investigation;
- Meeting statutory/regulatory requirements; and
- Ensuring better partnership working with external and internal partners.

8. Equalities Impact Assessment (EIA)

8.1 An equalities screening was undertaken that identified no impact on a particular protected group.

9. Consultation

9.1 The strategic risks have been discussed with the Strategic Leads and Directors.

10. Strategic Assessment

10.1 At its meeting on 25 October 2017, the Council agreed that its five main strategic priorities for 2017 - 2022 are as follows:

- A Strong local economy and improved employment opportunities;
- Supported individuals, families and carers living independently and with dignity;
- Meaningful community engagement with active empowered and informed citizens who feel safe and engaged;
- Open, accountable and accessible local government; and
- Efficient and effective frontline services that improve the everyday lives of resident

10.2 The strategic risks in 4.1 have been identified to complement the main strategic priorities.

Name: Victoria Rogers
Designation: Strategic Lead People & Technology
Date: 15th July 2019

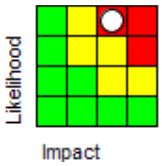
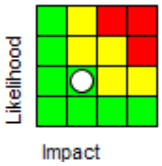
Person to Contact: John Duffy (Section Head) Risk and Health & Safety.
Telephone 01389 737897
john.duffy2@wdc.gcsx.gov.uk

Appendices:	Appendix 1: Detailed Strategic Risk List
Background Papers:	Report to Council on 25 October 2017 - West Dunbartonshire Council Strategic Plan 2017-22 Risk Management Framework

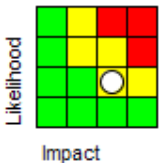
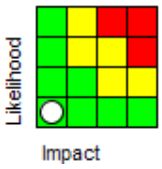
Strategic Risk Report July 2019

Generated on: 18 July 2019

SR 001

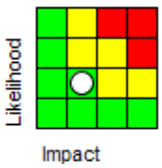
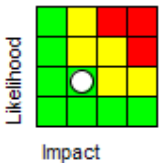
	SR 001 Significant financial funding reductions from Scottish Government	**Current Risk Matrix**	**Current Rating**	**Last Review Date**
Description	The Council is faced with significant ongoing funding reductions from the Scottish Government. Austerity is expected to continue for a number of years into the future and likely to result in funding reductions. This coincides with a period where costs are expected to rise in relation to Social Care due to aging population and capped powers to raise funds through Council Tax.		**12**	25-Jun-2019
		Target Risk Matrix	**Target Rating**	**Target Date**
Potential Effect	Shortfall in finances and therefore the Council is unable to provide all services as intended.		**4**	31-Mar-2022
Measures of Impact	- Reduction in government grant - Demographic change (population decline/growth, aging population) - Savings required including cutting level and/or quality of service provision - Increased Debt (collection of Council Tax, HRA rents, etc)	**Latest Note**	Following assessment, this risk remains significant. We continue to monitor and update projections.	
Risk Factors	- Level of government grant - Lack of time to plan for changes in the level of grant funding - Welfare reform - General inflationary factors - Significant additional burdens - Capital receipts			
Internal Controls	- 10 year Financial Strategy subject to regular review - Monitor and maintain General Services and Housing Revenue Account prudential targets - Reporting and monitoring of Treasury Management Strategy - Budgetary control process - Regular budgetary control and savings monitoring reports provided to CMT and Council / committees - Rigorous debt collection processes - Annual Internal Audit Plan - Work of External Auditors (external control) - Annual Governance Statement - Procurement Improvement Plan	**Managed By**	Stephen West	
		Assigned To	Gillian McNeilly	
Progress of Linked Actions	RES/1819/009 Review and update long term finance strategy		100%	Stephen West
Risk Opportunity	- Annual exercise to identify efficiencies - Projects to implement new ways of working (e.g. commercialisation, asset management) - Enhance the reputation of the Council as an organisation which manages its finances soundly			

SR 002

	SR 002 Failure to implement broad-ranging school improvement to raise attainment and achievement	Current Risk Matrix	Current Rating	Last Review Date
Description	This risk concerns the delivery of excellence and equity for our young people to support them to attain and achieve at the highest level. In particular, it is aimed at bridging the attainment gap and breaking the cycle of disadvantage. This also includes the focus on intervention at early years to improve life chances at all points on the learning journey. A key driver is the Council's participation in the Scottish Attainment Challenge which will be delivered over 4-years from 2015. Year 3 commenced in April 2017 and will bring together the workstreams to deliver a self improving school system programme.		**6**	20-Jun-2019
		Target Risk Matrix	**Target Rating**	**Target Date**
Potential Effect	The national expectation for education would not be delivered. Improved outcomes for young people would not be attained and achieved. The Council would fail to meet the needs of individual learners. The Service would fail to bridge the attainment gap and break the cycle of disadvantage. The Council would fail in its legal duty for the education of young people within West Dunbartonshire. There would be reputational damage to the service and the wider Council. There would be a lack of income generation from external funding sources.		**1**	31-Mar-2022
Measures of Impact	Examination results - HMIE inspection reports - validation reports - stakeholder feedback - local learning community attainment data - control group model - small test of change model - risk matrix model - bespoke model of intervention for young people and families at early stages to improve on attendance/lateness; social and emotional health; supports for mental health issues; parenting/behaviour management skills and early linguistic & cognitive development - pre/post intervention assessment - increased expectation of raising attainment being the responsibility of all - school to school collaboration with locally initiated bottom-up enquiry - higher level of STEM subject uptake in secondary schools - increased numbers of learners entering STEM related career pathways - standardised literacy and numeracy tests	**Latest Note**	Update provided to Committee (March 2019) reports of positive impact of interventions on attainment, achievement of targeted groups.	
Risk Factors	Staff resources - adequate funding for projects - workforce development - effective leadership - accurate and timely data collection - accurate and timely reporting - effective communication with partners and external agencies			
Internal Controls	Raising Attainment Strategy Project management by Service Manager Raising Attainment Project Board (led by Chief Education Officer) Termly progress reports submitted as part of Educational Service committee reports Relevant CPD programme to support education staff Meetings between WDC and Education Scotland/HMIE BGE Attainment and Performance Data School Improvement Literacy, Numeracy and HWB Steering Group National Improvement Framework (NIF)	**Managed By**	Laura Mason	
		Assigned To	Julie McGrogan	
Progress of Linked Actions	E/1819DP/ALN Deliver improvement in attainment, literacy and numeracy	✔	100%	
	E/1819DP/ALN/01 Implement improvements in learning, teaching and assessments in literacy	✔	100%	Shona Crawford; Julie McGrogan
	E/1819DP/CAG Implement broad-ranging school improvement to close the attainment gap	✔	100%	
	E/1819DP/CAG/01 Narrow the gap in CfE Attainment levels to	✔	100%	Julie

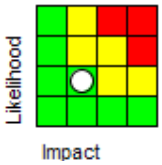
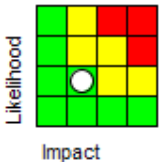
	5%			McGrogan
Risk Opportunity	Improved attainment - improved attendance - reduced exclusions - reduced violent incidents - reduction requirement for targeted support over time - reduction requirement for specialist placements over time - improved learning & community engagement - children/pupils at risk identified earlier and more effectively - more empowered community providing self-sustaining peer support - increase in the percentage and range of positive destinations over time			

SR 003

	SR 003 Councils Assets	Current Risk Matrix	Current Rating	Last Review Date
Description	Risk: That the Council's assets and facilities are not fully fit for purpose with consequent adverse impact on our ability to deliver efficient and effective services. Assets included in this assessment are; the Council's property portfolio, housing stock, roads and lighting, fleet and open space		**4**	03-Jul-2019
		Target Risk Matrix	**Target Rating**	**Target Date**
Potential Effect	- Assets are not utilised in the most effective and efficient manner - Service cannot be properly delivered to the satisfaction of service users - Service users seek alternative service provision -Increase in reactive maintenance costs -Roads assets in poor conditions -Assets fail to meet relevant standards		**4**	31-Mar-2022
Measures of Impact	- Condition surveys - Suitability surveys - Road Condition SPI - Customer perceptions of service delivery - Investment levels in upkeep and improvement of asset base and facilities -Staff satisfaction -Operating costs and savings	**Latest Note**	Risk matrix score should remain unchanged at this time. Additional planned maintenance funds for buildings have been allocated within 2019/20 and the impact of this will be monitored.	
Risk Factors	Adequacy of funding available to improve asset base - Adequacy of staff resources allocated to the area of asset management - Council buildings deemed to be unfit for existing purpose - Economic conditions may reduce level of potential capital receipts from surplus property sales -Over one third of the road network is in need of repair and the current long term capital funding only sustains a steady state condition of the road network - Increased public liability claims due to poor condition of roads network			
Internal Controls	- Corporate Asset Management Strategy - Schools Estate Strategy - Capital Investment Team - Existence of Asset Management Group with meetings held on a regular basis - Property Asset Management Plan - HRA Capital Investment Programme - Capital plan - Roads and Lighting Asset Implementation Plan - Fleet Asset Implementation - Open Space Asset Implementation Plan - Detailed asset database that shows relevant information on a property by property basis - Sustainability Policy - Housing Improvement Board - Housing Improvement Plan - Housing Asset Management Strategy	**Managed By**	Richard Cairns	
		Assigned To	Craig Jardine; Gail Macfarlane; Jim McAloon; Alan Young	
Progress of Linked Actions	Regen/1819/AM/01 Make further progress towards implementation of the Strategic Plan for the regeneration of the remaining schools estate.		100%	Jim McAloon
	Regen/1819/AM/03 Deliver the allocated General Services investment programme projects for 2019/20		100%	Jim McAloon
	Regen/1819/HAI/02 Deliver the HRA Capital Investment programme for 2018/19.		100%	Jim McAloon
	Regen/1920/AM/01 Review the Strategic Plan for the regeneration of the remaining schools estate including the production of a new Schools Estate Management Plan.		0%	Jim McAloon

	Regen/1920/AM/03 Deliver the allocated General Services investment programme projects for 2019/20		40%	Jim McAloon
	Regen/1920/HAI/02 Deliver the HRA Capital Investment programme for 2019/20.		20%	Jim McAloon
Risk Opportunity	-Enhance reputation of Council by being able to improve Council -Estate, assets and service delivery (e.g. new school buildings, operational building upgrades, office and depot rationalisation projects, housing investment programme to meet SHQS/EESSH, roads upgrade programme, vehicle replacement programme, greenspace upgrade projects) - Enhance employee "feel good" factor by providing modern office accommodation equipped with up to date IT facilities - Secure external funding for development of assets (e.g. EC, lottery, Historic and Environment Scotland) - Prioritised Building Upgrade Plan - The continued implementation of the energy efficient street lighting project will both improve the asset and reduce costs significantly through reduced maintenance, energy consumption and carbon output. - The effect of these energy efficiencies has demonstrated that significant savings and environmental benefit can be achieved through the utilisation of developing technology.			

SR 004

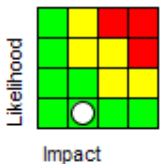
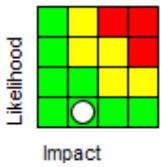
	SR 004 Information Technology	Current Risk Matrix	Current Rating	Last Review Date
Description	Failure to keep pace with changing technology environment during periods of austerity and supplier rather than business led change		**4**	20-Jun-2019
		Target Risk Matrix	**Target Rating**	**Target Date**
Potential Effect	A lack of consistent, sufficiently robust planning in respect of ICT arrangements is likely to result in the Council being ill prepared to meet future demands in key service areas and lacking the capacity to respond effectively to changing need.		**4**	31-Mar-2022
Measures of Impact	- Degree of compliance with security controls to prevent data loss through poor o/s patching, cyber attack, firewall configurations etc - Extent of wireless connections in the Council network – all schools and refurbished Office accommodation complete - Number of ICT Help Desk calls resolved within half day - exceeding target of 35%. Target was increased. - Extent of functionality development in key Council systems (i.e. lack of development beyond base system leading to ineffective management information) – several channel shift projects delivered and more are in progress Workforce mgnt self service, increased volume of web and intranet traffic, streamlined financial and purchasing processes, document management. - Fit for purpose Council website, delivering information and services to a significant percentage of the Council's customers. - Provide efficient desktop services to meet changing workforce flexibility and property rationalisation requirements. Thin client deployment complete in corporate estate and started in Education. 5-year Device replacement programme in place. - Implementation of mobile and flexible working, enabling a downsizing of required office accommodation through enabling people to work more efficiently and to adopt a more flexible policy towards office accommodation and desk provision. Bridge St, Aurora, CTCO, Municipal, Church St complete. - Broadband speed in the Council area - WDC has 2nd highest broadband speeds in Scotland. Investigating funding options for fibre network.	**Latest Note**	Continued investment in corporate and service-specific improvement projects and technologies such as the annual device replacement programme; 365 pilot; 'follow you' printing; and extending the functionality available via HR and Housing Management systems demonstrate the Council's commitment to maximising and leading on technology based improvements.	
Risk Factors	Insufficient resourcing of ICT developments so that benefits and opportunities identified are not realised - poor network security controls implemented. lack of intrusion detections alerts, failure to respond to audit / PSN test findings and recommendations, insufficient resources allocated to security tasks. Service redesigned and resources aligned to security tasks and improved monitoring processes and tools implemented. - Poor project and programme change management arrangements. - Poor quality of mobile communication provision. - Poor uptake on channel shift			
Internal Controls	- - Information & Communication Technology (ICT) Policy - Governance structures to support integrated planning and decision making in relation to ICT - Use of both internal IT resources from across the Council and skilled specialist advisers in key areas	**Managed By**	Victoria Rogers	
		Assigned To	James Gallacher; Patricia Kerr; Brian Miller	

	- Fit for purpose data centre (with remote back up site). New shared data centre went live in Dec 2014 and new WDC data centre live January 2018. WDC and EDC are taking a lead role on data centre sharing across Scotland			
Progress of Linked Actions	P&T/1819/ICT/01 Transformation & Channel Shift - Providing IT Support for Service Transformation Projects		100%	Patricia Kerr
	P&T/1819/ICT/02 Continue to review and develop business case for shared IT services		100%	Patricia Kerr; Victoria Rogers
	P&T/1819/ICT/03 Continue to deliver ICT tasks to support Property Rationalisation and Improvement Projects		100%	Patricia Kerr; Victoria Rogers
	P&T/1819/ICT/04 Continue to review and deliver ICT service improvements aligned to business needs		100%	Patricia Kerr
	P&T/1819/ICT/11 Deliver projects and changes required to continue to improve the overall security, compliance and resilience of the Councils IT Infrastructure.		100%	Patricia Kerr; Victoria Rogers
	P&T/1920/ICT/01 Transformation & Channel Shift		0%	Patricia Kerr
	P&T/1920/ICT/02 Explore Sharing Opportunities		0%	Patricia Kerr; Victoria Rogers
	P&T/1920/ICT/03 Deliver a secure and resilient IT Infrastructure		0%	Patricia Kerr; Victoria Rogers
	P&T/1920/ICT/04 Implement ICT Service Improvements		0%	Patricia Kerr
	PT/1718/ICT/004 Support corporate and strategic transformation and channel shift projects.		100%	Patricia Kerr
	PT/1718/ICT/008 Investigate shared infrastructure components		100%	Patricia Kerr
Risk Opportunity	- annual network penetration tests - Annual PSN compliance audit - Annual External Audit on ICT Controls - Continued investment and Modernisation of ICT infrastructure and its focus on network security and resilience. - Provide 21st century state of the art technology for employees and service users - Rationalise IT systems - Use of innovative IT linked service delivery models to effect change - Provide Council employees with secure access to email and supporting systems at times and locations of choice Increased use of mobile devices eg tablet devices and mobile phones. - Provide self service style systems to employees and the local community			

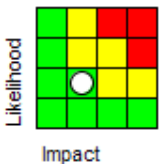
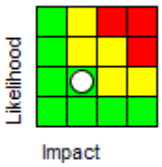
SR 005

	SR 005 Partnerships	Current Risk Matrix	Current Rating	Last Review Date
Description	The Council fails to engage adequately with partnership bodies	Likelihood / Impact	3	03-Jul-2019
		Target Risk Matrix	**Target Rating**	**Target Date**
Potential Effect	failure of partnership impacts on Councils obligations under Community Empowerment Act	Likelihood / Impact	3	31-Mar-2022
Measures of Impact	Successful delivery of LOIP and supporting plans positive partnership inspections	**Latest Note**	CPWD strengthened through publication of LOIP and strong DIGs	
Risk Factors	- inability to deliver improved outcomes which require strong partnership activity - Council's reputation is adversely affected through a failed partnership arrangement			
Internal Controls	- Robust partnership arrangements through community planning partnership - Align the Council's strategic plan with the Local Outcome Improvement Plan (LOIP) - Ensure that partners have signed up to deliver on the outcomes and targets set in the LOIP - Develop data sharing protocols with partner agencies - Participate in reform agenda as it impacts on Council area	**Managed By**	Malcolm Bennie	
		Assigned To	Amanda Coulthard	
Progress of Linked Actions	CCC/1819/P&S/03 Ensure citizens are supported to engage and participate in service design and delivery		100%	Malcolm Bennie
	CCC/1819/P&S/04 Support Community Planning West Dunbartonshire to further develop locality planning and involvement in line with the Community Empowerment Act		100%	Malcolm Bennie
	CCCF/1920/P&S/01 Support Community Planning West Dunbartonshire to further develop locality planning and involvement in line with the Community Empowerment Act		0%	Malcolm Bennie
	CCCF/1920/P&S/04 Ensure robust data and analysis is available to support decision making across all services		50%	Malcolm Bennie
	CCCF/1920/P&S/06 Review and embed frameworks which support continuous improvement and best value across the organisation		0%	Malcolm Bennie
	GOV-18-008 8. Partnership risk		100%	Malcolm Bennie
Risk Opportunity	- Position West Dunbartonshire as a modernising Council			

SR 006

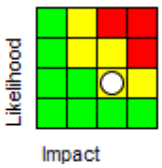
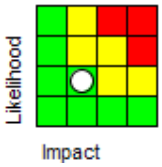
	SR 006 citizens and communities	Current Risk Matrix	Current Rating	Last Review Date
Description	The risk is that the Council does not establish or maintain positive communications with local residents and the communities it represents		**2**	03-Jul-2019
		Target Risk Matrix	**Target Rating**	**Target Date**
Potential Effect	- Tensions develop with citizens and local community groups		**2**	31-Mar-2022
Measures of Impact	- informed and engaged citizens participating in consultation activity	**Latest Note**	Actions to mitigate this risk are progressing as planned.	
Risk Factors	Lack of appropriate staff development / skills may be lacking to support new model of service delivery inequity of engagement across the partnership on key local issues council seen as unresponsive to community if feedback from engagement not acted upon apathy within communities leads to little or no engagement some community groups feel their voices are not being heard			
Internal Controls	- Ensure robust mechanisms for public feedback (Embedding the Strategic Engagement Framework) - Annual budget consultation events - Citizens Panel - Open Forum questions at Council meetings - continue to deliver 4 issues of housing news each year - delivery of effective communications and public information through social media - use of telephone survey	**Managed By**	Malcolm Bennie	
		Assigned To	Amanda Coulthard; Amanda Graham	
Progress of Linked Actions	CCC/1819/CC/04 Increase social media audience (to 33%) and engagement (to 1.5m) across each platform through continually evaluating our approaches to social media and responding to social media trends and evolution		80%	Malcolm Bennie
	CCC/1819/P&S/03 Ensure citizens are supported to engage and participate in service design and delivery		100%	Malcolm Bennie
	CCCF/1920/COT/03 Increase social media audience (to 40%) and engagement (to 1.5m) across each platform through continually evaluating our approaches to social media and responding to social media trends and evolution		33%	Malcolm Bennie
Risk Opportunity	Community Empowerment Act participation requests asset transfer			

SR 007

	SR 007 Health and Safety of Employees and Others	Current Risk Matrix	Current Rating	Last Review Date
Description	Failure to meet the Council's duty to protect the health, safety and welfare of its employees and other people who might be affected by its business, either in the provision of an effective health and safety management system or in ensuring adherence to that system as part of an embedded health and safety culture.		**4**	20-Jun-2019
		Target Risk Matrix	**Target Rating**	**Target Date**
Potential Effect	Risk of an employee, service user, pupil (young person)or member of the public being seriously / fatally injured by fault of the Council. There are various risks associated with the outcome: reputational risk regarding negative publicity; financial risk in terms of claims management compensation to the injured party; risk of prosecution by the HSE resulting in a fine or, , Strategic Leads/Directors / Chief Executive being subject to criminal charges.		**4**	31-Mar-2022
Measures of Impact	Time and cost associated with in-house/HSE investigation. Service delivery impact in terms of injury-related absence and potentially enforced cessation of work activities. Impact of legal proceedings, in terms of costs, potential reputational damage and, worst case, risk of criminal charges.	**Latest Note**	Actions to mitigate this risk are progressing as planned.	
Risk Factors	Resources, robust policies and practices, adequate H&S strategy.			
Internal Controls	• Council has in place a robust H&S policy and strategy (and separate Fire Risk Management Strategy) that includes service specific health and safety plans, duties and responsibilities for Strategic Directors, Strategic Leads, managers and employees. • Adequate H&S resources in place to fulfil statutory obligations in terms of the Health and Safety at Work etc. Act and the Management of Health and Safety at Work Regulations. • Embedded H&S culture that discusses H&S issues at a top level and cascades throughout the organisation through the health and safety committee system. • Monthly reports to PaMG on organisational safety performance. • Each link H&S Officer attends Service Strategic Lead meeting to report on service safety performance • Services have H&S committees at Service and Directorate level. • Workplace inspection and audit programme. • Service risk profiling. • H&S training needs analysis for every employee group. • Toolbox talks take place at directorate level. • The Council has in place a Trade Union Health and Safety Partnership Agreement.	**Managed By**	Victoria Rogers	
		Assigned To	John Duffy; Alison McBride	

	• Council promotes health and safety training for TUs to diploma level.			
Progress of Linked Actions	P&T/1819/H&S/01 Continue to embed an organisational health and safety culture		100%	Alison McBride
	P&T/1819/H&S/02 Further develop and implement the Council health and safety management software system (Figtree)		100%	Alison McBride
	P&T/1819/H&S/03 Develop and implement the Council's Health & Safety management system to reflect new ISO 45001 (Occupational Health and Safety) standard.		100%	Alison McBride
	P&T/1819/H&S/04 Develop and implement a Council Fire Risk Management Strategy.		100%	Alison McBride
	P&T/1819/H&S/05 Review effectiveness of Council approach to risk management and implement improvement action as appropriate.		75%	Alison McBride
	P&T/1920/H&S/01 Embed an organisational health and safety culture though extending organisational use of Figtree and understanding of health & safety		57%	Alison McBride
	P&T/1920/H&S/02 Increase understanding of Council Fire Risk Management Strategy.		25%	Alison McBride
	P&T/1920/H&S/03 Undertake a review of the effectiveness of Council approach to risk management and implement improvement action as appropriate.		25%	Alison McBride
Risk Opportunity	Demonstrate to committees, elected members, Trade Unions, employees, the community and other external partners of robust H&S culture.			

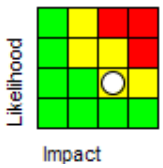
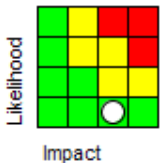
SR 008

	SR 008 Threat of Cyber-attack	Current Risk Matrix	Current Rating	Last Review Date
Description	Data, systems and/or infrastructure are impacted as result of security attacks which are increasing in number at a time when this threat is already placing demands on resources to deliver increased levels of security controls.		**6**	20-Jun-2019
		Target Risk Matrix	**Target Rating**	**Target Date**
Potential Effect	• Disruption of Services impacting service delivery to citizens • Loss of Data • Staff and Citizen data loss with the potential for misuse such as identity fraud • Mis-information being delivered to the public via WDC communication channels • Potential for significant fines currently under the Data Protection Act and from May 2018 under the provisions of the General Data Protection Regulations • Reputational damage • Redirection of resources to deal with the effects of an attack and away from BAU work		**4**	31-Mar-2022
Measures of Impact	• Recorded attempts from external sources to breach council cyber defences • Recorded cyber related incidents in the Cyber incident log • Quantity of breaches/incidents reported to the Information Commissioners Office • Fines levied for breaches	**Latest Note**	Cyber attacks are a daily occurrence and the continued and increased focus on regular device and system security patching, firewall and network perimeter controls are helping to minimise and reduce the likelihood of a threat. The Council continues to raise employee awareness as well as ensuring business continuity plans are in place should our defences be compromised.	
Risk Factors	• Inappropriate Cyber defences at the perimeter of the council networks • Inappropriate delivery of security patches to desktop and server estates • Compliance with security standards such as PSN, PCI, Public Sector Action Plan on Cyber resilience for Scotland • Continually changing threat landscape • Maintaining relevant skill sets among staff group/cost of securing expert resources			
Internal Controls		**Managed By**	James Gallacher;	

	• Implementation of internal Policies on Patching and hardware/software hardening • Annual PSN compliance audit including a comprehensive IT Health Check • Governance structure in place, ICT Board consisting of senior management and relevant stakeholders meeting once per month or as required in response to incidents/events • Programme of Internal and External ICT audits • PCI working group • Information Security/Data Protection forum • Multiple layers of Cyber defences Network Segration • Rolling programme of security awareness sessions • Interagency and cross Council working groups and sharing. • National Digital Office / Scottish Government Public Sector Security programme and guidance		Patricia Kerr; Brian Miller	
		Assigned To	Iain Kerr	
Progress of Linked Actions	CS/IAAP/519 1. Underlying Technical Controls required to facilitate automatic failover to DR site still to be configured/tested		100%	Patricia Kerr
	CS/IAAP/520 2. DR Plans for the main telephony delivery systems have yet to be implemented/tested		100%	Patricia Kerr
	CS/IAAP/521 3. Systems without parallel DR arrangements are not fully tested		100%	Patricia Kerr
	CS/IAAP/525 7. Lack of formal DR testing schedule at primary DR site		100%	Patricia Kerr
	P&T/1819/ICT/01 Transformation & Channel Shift - Providing IT Support for Service Transformation Projects		100%	Patricia Kerr
	P&T/1819/ICT/02 Continue to review and develop business case for shared IT services		100%	Patricia Kerr; Victoria Rogers
	P&T/1819/ICT/04 Continue to review and deliver ICT service improvements aligned to business needs		100%	Patricia Kerr
	P&T/1819/ICT/11 Deliver projects and changes required to continue to improve the overall security, compliance and resilience of the Councils IT Infrastructure.		100%	Patricia Kerr; Victoria Rogers
	P&T/1920/ICT/01 Transformation & Channel Shift		0%	Patricia Kerr
	P&T/1920/ICT/02 Explore Sharing Opportunities		0%	Patricia Kerr; Victoria Rogers
	P&T/1920/ICT/03 Deliver a secure and resilient IT Infrastructure		0%	Patricia Kerr; Victoria Rogers
	P&T/1920/ICT/04 Implement ICT Service Improvements		0%	Patricia Kerr
Risk Opportunity	• Increase Cyber resilience and awareness for staff, members and citizens • Contribute to Scottish Government Public Sector Action Plan on Cyber resilience for Scotland			

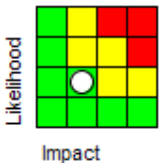
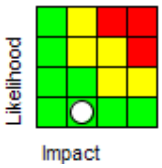
	• Upskill staff to address current and emerging threats • Increased staff awareness across Council

SR 009

	SR 009 Failure to deliver the Early Years Agenda	Current Risk Matrix	Current Rating	Last Review Date
Description	This risk concerns an increase in entitled hours which the Scottish Government is planning to provide for early years children, from 600 to 1140 hours by 2020. In project management terms this is a complex piece of work of products, demanding timescales and dependencies across its duration.		**6**	25-Jun-2019
		Target Risk Matrix	**Target Rating**	**Target Date**
Potential Effect	Reputational damage Failure to meet the Scottish Governments delivery plan to increase free ELC hours Children would not receive the best start in life Failure to meet our statutory duties Partner providers may be adversely affected		**3**	31-Mar-2022
Measures of Impact	Care Inspectorate standards Key project milestones Scottish Government requirements Parental expectations Key personnel positions	**Latest Note**	The key risks are delays and delivery of infrastructure, recruiting and developing a committed workforce and ensuring all the ELCC's meet the criteria for the National Standard.	
Risk Factors	Maintaining level of Scottish Government investment Availability of contractors within project timescales Recruitment of suitable staffing for centres Creation of flexible delivery model Staff engagement with the Early Years Strategy Quality of communication with parents and staff Successful transition to new delivery model			
Internal Controls	Reports to Education Services Committee Early Learning and Childcare Strategy 2016 - 20 Care Inspectorate Children and Young Peoples Act (S) 2014 Education Governance Board Early Years Implementation Board Financial reports - budget monitoring and review Inter departmental working Partnership SLA's Workforce Development Change Board updates	**Managed By**	Laura Mason	
		Assigned To	Kathy Morrison	
Progress of Linked Actions	E/1819DP/EYA/01 Overview of the workforce	✓	100%	Kathy Morrison
	E/1819DP/EYA/02 Implement new Early Years staffing structure	✓	100%	Kathy Morrison
	E/1819DP/EYA/03 Work with HR, Finance, Facilities Management and Estates to deliver Early Learning and Childcare Expansion Plan Phase 1	✓	100%	Kathy Morrison
	E/1819DP/EYA/04 Ensuring Quality	✓	100%	Kathy Morrison
	E/1819DP/EYA/05 Workforce Development	✓	100%	Kathy Morrison
	E/1819DP/EYA/06 Physical Capacity/Resources	✓	100%	Kathy Morrison
	E/1819DP/EYA/07 Process / technologies and admin change	✓	100%	Kathy Morrison
	E/1819DP/EYA/08 Implementation of Delivery Model	✓	100%	Kathy Morrison
Risk Opportunity	Parents and children will receive a more flexible childcare service Greater opportunities to tackle the impacts of inequalities on the			

	very young and vulnerable children Improvement in quality assessment and moderation and interactive play-based methodologies across the Early Level Accessible provision will play a vital role in reducing the poverty related attainment gap through high quality early learning and childcare Opportunities for professional learning to meet the standard required

SR 010

	SR 010 Ensure an appropriately resourced workforce.	Current Risk Matrix	Current Rating	Last Review Date
Description	Failure to ensure that there is an appropriately resourced workforce in place to meet future organisational needs, either in effectively executing the Council's 2017-22 Workforce Plan, or in ensuring that the Plan is adapted over time if and when earlier assumed circumstances change.		**4**	03-Jul-2019
		Target Risk Matrix	**Target Rating**	**Target Date**
Potential Effect	- Low staff morale - Inability to deliver services effectively - Reduced level of service - Lack of improvement or increase in staff absences - Council underachieves as an organisation - Employee conflict		**2**	31-Mar-2022
Measures of Impact	- Access to and participation of employees in learning and development activities - Absence rate and trends - Employee turnover - Grievance, discipline and other monitoring information - Employee survey results and associated actions - Reports from external scrutiny bodies and award bodies - Benchmarking with appropriate comparators	**Latest Note**	Whilst risk rating remains as per last review in May 2018, relevant internal controls are in place and linked Delivery Plan actions are being progressed in line with identified timescales	
Risk Factors	- Lack of appropriate development / shortage of skills may pose a risk to new models of service delivery - Lack of capability to deliver - Workforce unable to adapt to change			
Internal Controls	- HR processes designed to meet service delivery needs - Develop new structures to reflect strategic priorities and aligned to Future Operation Model (FOM) - Align workforce plan to the Council's strategic planning processes (i.e. have the right people available at the right time with the right skills to fulfil properly all of the Council's strategic priorities) - Periodic review of pay arrangements in accordance with EHRC guidance (currently every 3 years) - Incorporation of succession planning into workforce planning framework - Identify training programmes to reskill staff as identified by training needs analysis - Effective use of SWITCH to support alternative careers - Flexible HR policies, in particular recruitment & selection, learning & development (including elearning), continuous improvement / development flexible working, attendance management, employee wellbeing related polices - Effective use of Occupational Health Service - Robust Be the Best Conversations process - Effective leadership and management behaviours and practice	**Managed By**	Victoria Rogers	
		Assigned To	Alison McBride	
Progress of Linked Actions	P&T/1819/OD/01 Continue to deliver a variety of development opportunities such as Lean/Six Sigma, New Managers Induction, build digital literacy workforce knowledge & skills and relaunch the Coaching & mentoring Programme		100%	Alison McBride
	P&T/1819/OD/03 Continue to embed Be The Best Conversations council wide.		100%	Alison McBride
	P&T/1819/SHR/01 Continue to provide HR support to inform and implement organisational change projects.		100%	Victoria Rogers
	P&T/1819/SHR/02 Continue to implement the Council's Employee Wellbeing Strategy.		91%	Victoria Rogers

	P&T/1819/SHR/04 Continue to embed the Council's Strategic Workforce Planning Framework.		100%	Victoria Rogers
	P&T/1819/SHR/30 Address workforce equalities objectives		88%	Victoria Rogers
	P&T/1920/OD/01 Continue to progress and deliver a variety of development opportunities such as Lean/Six Sigma, New Managers Induction, build digital literacy workforce knowledge & skills and relaunch the Coaching & mentoring Programme		0%	Alison McBride
	P&T/1920/OD/03 Monitor the impact of Be The Best Conversations council wide.		25%	Alison McBride
	P&T/1920/SHR/01 Address workforce equalities objectives		0%	Alison McBride
	P&T/1920/SHR/02 Review and relaunch the Council's Employee Wellbeing Strategy.		40%	Alison McBride
	P&T/1920/SHR/04 Continue to embed the Council's Strategic Workforce Planning Framework with a particular focus on the impact of digital skills		0%	Alison McBride
Risk Opportunity	- Identity previously unknown skills and talents in the workforce - Realise the potential of staff			

Risk Status	
	Alert
	High Risk
	Warning
	OK
	Unknown

WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Lead – People & Technology

Corporate Services Committee: 21 August 2019

Subject: Information Security Policy review

1. Purpose

1.1 The purpose of this report is to provide the Committee with an update on the Information Security Policy and secure approval for same.

2. Recommendations

2.1 The Committee is asked to:

2.1.1 Note that there have been significant technological changes since the last review and this required a rewrite to address the changing and emerging threats;

2.1.2 Note that the ICT Security Policy is now a wider framework of documents including:

- Acceptable Use Policy (AUP);
- Acquisition and Disposal of ICT;
- Privacy and Monitoring;
- Information Security - DPA forum charter; and
- Reporting of Information Security concerns.

2.1.3 Approve the revised Information Security Policy and the associated framework documents listed in 2.1.2 above. Please note that the hyperlinks for this framework will be amended to point to intranet versions following approval).

3. Background

3.1 The existing Acceptable Use policy was approved on the 8 May 2013 by the Corporate Services Committee and rolled out thereafter via email, intranet and awareness sessions to employees affected by this policy.

3.2 Minor, technical revisions regarding password security and data sharing were made at the request of service areas in 2015 and 2016 and communicated via email. The Policy is and will continue to be promoted and available via the Council's intranet.

3.3 The requirement to update the policy is captured as part of the internal audit of Data and Information Security - Governance and Practice (action reference T&PSR/IAAP/622 – Update required to Acceptable Use Policy).

3.4 The adoption of a framework approach combined with the revision of the Acceptable Use Policy will make it easier for everyone affected to understand and carry out their roles in relation to the proper governance and use of the Council's ICT Resources.

3.5 The Information Security Policy is significantly aligned to the Records Management policy which is currently under review by Regulatory Services and subject of a future committee paper and includes:

- Records Management guidance; and
- Information Handling and Classification procedure.

4. Main Issues

4.1 Due to the previously mentioned audit action, technological advances and changes to the ICT threat landscape it was deemed a review was required to bring the policy up to date.

4.2 In order to simplify the policy, a framework approach was adopted. This framework approach includes the introduction of specific documents which are subject to change and allows for the main framework document to remain mostly static, for example, disposals was removed from the AUP and included in the guidance document Acquisition and Disposal of ICT.

4.3 This Policy will be supported by corporate procedures and guidance which will set out how employees, elected members and other relevant groups are expected to carry out their roles in relation to the use of ICT Resources.

4.4 Key changes are mainly in the AUP part of the security framework and provide additional clarity and focus. These changes fall under the categories of personal and unacceptable use and can be summarised as follows;

- Prohibiting auto forwarding to personal email accounts;
- Checking email and document sources before opening;
- Using Council resources to only store Council business related data;
- Not sharing IT accounts or account information;
- Locking and password controls on devices when left unattended;
- New process under review for devices returning from use abroad and annual MOT process;
- Restricted access to Bring Your Own Device (BYoD) for some employees based on job role; and
- Additional restrictions on employees undertaking card payment processes.

5. People Implications

5.1 The revised Information Security Policy forms part of the Council's mitigation against the risk that our employees, elected members and other bodies

(partners, suppliers etc.) may encounter when using council technology resources.

5.2 This policy provides the information required by employees, elected members and other groups to develop the necessary knowledge to understand their obligations in the proper use and governance of council and citizen information and data.

6. Financial and Procurement Implications

6.1 There are no financial and no procurement implications to this report.

7. Risk Analysis

7.1 Without an up to date Information Security Policy to mitigate against emerging threats and new technologies, there is an increased likelihood of significant reputational and financial risks for example financial penalties as a result of data breaches.

7.2 This policy is part of a suite of controls to address Strategic risks SR004 (Information Technology) and SR008 (Threat of Cyber attack) included in the Council's strategic risk register.

8. Equalities Impact Assessment (EIA)

8.1 An equalities impact assessment was carried out and there is no adverse impact on any protected group.

9. Consultation

9.1 A working group comprising ICT, Security, Legal and Human Resource colleagues was established to contribute to the overall review. The review was focussed on the technical changes required to ensure compliance. The draft was circulated to the Strategic Leadership Group and Trades Unions for comment.

10. Strategic Assessment

10.1 High quality technologies and services contribute to the Council's strategic priority of delivering fit for purpose estate and facilities.

Name: Victoria Rogers
Designation: Strategic Lead - People and Technology
Date: 6 August 2019

Person to Contact: Brian Miller, ICT Section Head Infrastructure
07876397925

brian.miller@west-dunbarton.gov.uk

Appendix: Information Security Policy
Acceptable Use Policy (AUP)
Acquisition and Disposal of ICT
Privacy and Monitoring
Information Security - DPA forum charter
Reporting of Information Security concerns

Background papers: none

Wards Affected: All

West Dunbartonshire COUNCIL

Appendix 1

West Dunbartonshire Council

(Information Security Policy Framework)
Information Security Policy

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Version Control

Version	Description	Release Date	Issued By
0.1	First Draft of Information Security Policy to replace the old Corporate Information and Communication Technology Acceptable Use & Security Policy (ISP - 4.8)	June 2019	ICT Security Officer
0.2	Various updates following SLG feedback	July / August 19	ICT Security Officer
1.0	Final Draft	August 19	ICT Security Officer

1. Introduction

1.1 Information plays a critical role in the lives of West Dunbartonshire Council citizens, employees, and business; as a result information systems and physical assets, including supporting processes, systems, networks and equipment, need to be appropriately protected to ensure that the Council can continue to operate and provide service delivery.

1.2 Information Security efforts do not solely focus on the protection of technology systems which process and store information, the information itself is of primary importance, regardless of how it is handled, processed, shared, transported, or stored, including:

- Physical access to electronic and paper-based information assets;
- Logical access to data, systems, applications and databases;
- External and internal access to the network and all other computing resources;
- Legislation impacting information and technology systems in all Council locations, business units, and teams;
- Compliance requirements and standards set out by the Government, partners, and regulatory bodies;
- Council, partner, and citizen privacy rights, regulations, and laws; and
- Contractual obligations where a 3rd party holds or processes information on the Council's behalf.

1.3 Information Security therefore, addresses the universe of risks, benefits, processes involved with information, and takes account of business needs for sharing or restricting information and the business impacts associated with such needs. Information security is assisted by the implementation of an appropriate set of controls comprising policies, standards, procedures, guidance, structures and technology configurations.

1.4 The Council's "Information Security Statement of Intent" states the Council's position and supports the Information Security Policy.

2. Purpose

2.1 The purpose of Information Security is to protect the information held by West Dunbartonshire Council, relating to our citizens, and our employees through the implementation of appropriate policies, standards, processes, and technology.

2.2 This Information Security Policy provides the strategic position and sets out the foundations and a framework for appropriate, cost effective, and efficient information security as a fundamental aspect of corporate governance.

2.3 This policy applies to all aspects of cyber and information security, including the specification, design, development, installation, operation, connection, use and decommissioning of the processes, systems (manual and electronic), services and equipment used to store, process, transmit or receive information.

2.4 The key objectives of this Information Security Policy are to:

- Provide the framework for policies, guidance and standards relevant to information security;

- Assist West Dunbartonshire Council employees in protecting the confidentiality, integrity, and availability of Council information;
- Ensure that all information, particularly personal and citizen information, is treated appropriately at all times;
- Ensure compliance with all relevant legislation and regulations regarding Council information assets; and
- Enable West Dunbartonshire Council to maximise the benefits of the information it holds through making the best use of information and information sharing whilst managing the risks and being cognisant of the information security requirements.

3. Governance and Responsibility for Information Security

3.1 The Council will ensure that suitable frameworks exist to initiate and control the implementation of information security both within the Council and between itself and external organisations.

3.2 All employees and individuals with access to Council information have an individual responsibility to ensure that information is handled appropriately. As well as employees, Elected Members and 3rd parties who access council information, all Council service areas will be expected to adhere to the requirements of this policy in the way that they work.

3.3 The Senior Information Risk Owner (SIRO) has overall responsibility for ensuring implementation of this policy and is assisted in fulfilling this role by the Council's senior management team.

3.4 Additionally, a number of roles and groups within the Council will be expected to manage compliance with this policy as part of their remit. These include:

- Managers;
- ICT Security Officer;
- Data/Information Protection Officer;
- Network Security Analyst;
- ICT employees;
- System administrators within service teams;
- Information Security Forum; and
- ICT Board.

3.5 Services must nominate one or more senior officer (member of Council's Senior Management Network (SMN) to represent them at Information Security Forum meetings as and when required. The forum is chaired by ICT Security Officer and has been in place for several years, reviewing breaches and identifying and auctioning improvement measures.. Permanent members of the Forum are as indicated in the Information Security DPA forum charter.

3.6 The Forum meets at quarterly intervals throughout the year to review information security across the Council. Special meetings may be held to examine a specific security issue problem.

4. Risk Management

4.1 Assessing information risk is required for the protection of information assets throughout their lifecycle. This framework guidance defines the baseline standards to:

a. Manage the threat of a compromise of confidentiality, integrity or availability of information held on systems or manual records and a strategy to address that threat or reduce the impact;

b. Manage compliance with Data Protection obligations in the use of personal data as outlined in the Records Management and Data Protection documents.

c. Manage the risk of removal of information from controlled environments, sharing of data from a Council repository or exchanges of data with third parties;

d. Ensure changes of existing services or facilities or introduction of new ones are only carried out on completion of a risk assessment; and

e. Ensure an Information Security Risk Register is maintained by relevant Service Manager and ICT Manager is responsible for Corporate ICT Risk register.

5. Asset Management and Classification

5.1 Appropriate measures are in place to ensure the protection of information assets and information processing as detailed in this clause 5. Each Service is responsible for maintaining their information asset entries within the Council's Information Asset Register which was introduced by Regulatory Services in 2018. The register contains an inventory of information assets and identifies a range of details including the service name of the information asset owner, whether personal information held, location of the assets and the legal basis for processing.

5.2 The Government Security Classification scheme is under review by Regulatory Services and this incorporates the handling of information assets. The Information Handling and Classification Procedure assists employees in judging what information requires to be marked, how to reach this decision and what security is required.

5.3 The Records Management guidance covers how information assets are used and stored in different scenarios and throughout their lifecycle.

5.4 Fostering a professional culture and developing a positive attitude toward security is critical. Security must be seen as an integral part of and a key enabler to, effective business and service delivery. The Council undertakes to provide appropriate information security training for employees, elected members and third parties as appropriate. Service Managers must ensure that:

a. Appropriate information assurance education and awareness is provided to all employees on Service induction, and that employees receive training appropriate to their role and access to information;

b. All employees with access to information assets undertake the appropriate information security training provided by their Service area;

c. Appropriate information security education and awareness is provided to employees when undertaking a new post or role within the Council;

d. All employees understand their obligations to both protect special category information (e.g. in line with Records Management Policy) and business sensitive information and ensure openness and transparency in decision-making (e.g. in response to freedom of information requests or any other request to release information into the public domain;

e. All users of ICT (employees, elected members and partners) are familiar with the system security operating procedures governing system use, receive appropriate training as defined by the relevant Strategic Lead, and are aware of Reporting of Information Security Concerns policy; and

f. Strategic Leads should ensure that employees that have privileged access to key Council assets (e.g. system administrators) should be given enhanced training about their responsibilities and be aware that inappropriate actions may lead to disciplinary or criminal proceedings.

5.5 Further user responsibilities are defined in the Acceptable Use Policy.

6. Human Resources Security

6.1 Strategic Leads must ensure that West Dunbartonshire Council's Recruitment and Selection Policy is complied with during all stages of the recruitment process, ensuring that appropriate recruitment checks and controls (e.g. Disclosure Scotland and PVG – Protecting Vulnerable Groups) are in place before access to information assets is permitted. This includes all recruitment, (both internal and external), change of role (e.g. secondment, acting up arrangements) and termination of employees and third parties. Further guidance on can be found via HR Online.

7. Access Control

7.1 Appropriate measures exist or will be put in place to limit access to information, information processing facilities and business processes to appropriate persons or groups of persons as follows. This includes physical and ICT system access control procedures to address, where appropriate, the need for user access management policies, password controls, network access controls, operating system access controls, application access controls, and access security issues pertaining to the uptake of mobile computing and remote or home working.

8. Physical and Environmental Security

8.1 Appropriate measures exist and will continue to be implemented as needed to prevent unauthorised access, loss, theft, damage and interference to the Council's premises and information assets. This will include addressing the physical security needs of buildings, offices, equipment, and supporting utilities and infrastructure.

In the event that ICT equipment is lost or stolen, this must be reported directly to a service manager, ICT security officer or ICT management team and can also be logged via the ICT service desk.

Information Assets also include hardware hosting Information and these hardware assets must be handled and disposed of in line with the Acquisition and Disposal of ICT policy.

9. Information Systems Acquisition, Development and Maintenance

9.1 West Dunbartonshire Council recognises the need to ensure that security is built into new and proposed IT systems, and is assessed as part of the normal system lifecycle. To properly address the security requirements of new systems (purchased or developed) appropriate steps must be taken by all involved to ensure that

- New systems correctly process information;
- Any necessary cryptographic controls are implemented;
- The security of system, hosting and software application files is considered;

- Security during development stage is adhered to;
- Support and maintenance processes are properly managed; and
- that consideration is given to patch and vulnerability management.

9.2 Strategic Leaders will further comply with the requirement to assess potential privacy risk and impact in line with the Councils Data Protection Policy.

9.3 Further advice on procurement processes can be found on the Council's Intranet.

10. Information and/or Security Incident Management

10.1 The appropriate service manager must be notified immediately when;

- Unauthorised use of internet access has taken place or is suspected of having taken place;
- Passwords or other system access control mechanisms are lost, stolen or disclosed, or are suspected of being lost, stolen or disclosed;
- Unusual system behaviour occurs, such as missing files, frequent system crashes or misrouted messages;
- Sensitive WDC information is lost, disclosed to unauthorised parties or suspected of being lost or disclosed to unauthorised parties; and
- In instances where personal or sensitive data may have been compromised, a senior officer within the service should immediately notify the Strategic Lead Regulatory Services, the Data Protection / Information Protection Officer and the ICT Security Officer to seek guidance. Report a Data Breach

10.2 It is the responsibility of all employees, elected members and partners to report any suspected irregularities / fraud to their Strategic Lead, or nominated senior officer, thereafter the Audit and Risk Manager, as soon as possible.

10.3 A log will be maintained by the ICT security officer of all reported ICT security incidents.

11. Business Continuity Management

11.1 Measures already exist within each service area to counteract interruptions to business activities, to protect critical business processes from the effects of major failures or disasters and maintain core services. Services must ensure they retain up to date Business Continuity Plans to manage interruption in service delivery such as an IT incident. This process is coordinated by the Council's Civil Contingencies Service (CCS).

12. Compliance

12.1 Appropriate measures exist or will be put in place to avoid breaches of any criminal and civil law, statutory, regulatory or contractual obligations and of any security requirements. Relevant legislation includes:

a. Data Protection Act 2018;

b. General Data Protection Regulation 2016/679;

c. Freedom of Information (Scotland) Act 2002 (including relevant decisions);

d. Copyright, Designs and Patents Act 1988;

e. Computer Misuse Act 1990;

f. The Privacy and Electronic Communications Regulations 2003;

g. Regulation of Investigatory Powers (Scotland) Act 2000;

h. Anti-Terrorism, Crime & Security Act 2001;

i. Defamation Act 1996;

j. Health and Safety at Work Act 1992 (Display Screen Equipment) and Health and Safety (Display Screen Equipment) Regulations 1992;

k. Re-use of Public Sector Information Regulations 2005;

l. Civil Contingencies Act 2004 and The Civil Contingencies (Contingency Planning) (Scotland) Regulations 2005; and

m. Any other relevant legislation as may be enacted from time to time.

13. Further Information

13.1 Information Security policies and standards are available on the West Dunbartonshire Council Intranet. For further advice, please contact ICT Security Officer.

Appendix 2

West Dunbartonshire Council

(Information Security Policy Framework)

Acceptable Use Policy (AUP)

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1. What is the Policy for?

1.1. West Dunbartonshire Council ('the Council') recognises the benefits of Information and Communications Technology (ICT) and encourages the use of ICT equipment, systems and services in all aspects of its business. Whilst all the varying technology stacks and enabling technologies are essential for new ways of working, it is important to have clear policies on ICT use to minimise existing and emerging risks.

1.2. This policy supports the Council's commitment to Information Security and forms part of this wider framework of documents which include;

- WDC Information Security Policy;
- Acquisition and Disposal of ICT;
- Privacy and Monitoring;
- Information Security DPA forum Charter;
- Reporting of Information Security Concerns; and

Related documents such as

- Social Media Policy & Guidance;
- Discplinary policy;
- Information Handling and Classification procedure (under development); and
- Records Management guidance.

1.3. Due to the pace of technology change and new threat emergence, it is not possible to have specific guidance for all eventualities. In such cases, where no specific guideline / policy guidance exists and where the risk is deemed high, then direction on breaches or suspicious activity is raised with senior management and/or ICT immediately and by any and all means available.

1.4. This policy supports the Council's Code of Conduct, the overriding principles of which apply at all times.

2. Who is this Policy for?

2.1. This policy and its framework applies to all users who have access to ICT resources provided by the Council, meaning all

- Employees
- Elected Members
- Agency workers
- Contractors / Subcontractors (subject to any relevant provision in their contracts)
- Employees of trusts, agencies and companies that use the Council's ICT resources
- Students and volunteers (where undertaking work experience or similar
- Partner organisations
- Any other person(s), without exception, who uses or requires access to Council owned or leased ICT equipment, systems and networks

2.2. All users of the public access network for Libraries or WDC Wi-Fi have separate guidelines covering acceptable terms and conditions of use

2.3. For the purposes of this Policy, ICT Resources means all elements of the Council's ICT Infrastructure, comprising (but not limited to):

- Data Network and main computer systems;
- Kiosks, Tills, Virtual reality devices, imaging equipment and video conferencing facilities;
- Telephones, Mobile phones and any hosted voice systems;
- PC's and portable computers (e.g. laptops, notebooks, tablets, and mobile / smart devices);
- Peripheral computer equipment (e.g. printers, scanners, Multi Function Devices, external drives and portable media);
- Software and any other services (including email and the Internet) accessed through any of the above; and
- Data and information assets accessed through any of the above (regardless of where they are location, processed or communicated).

3. Why do we need this Policy?

3.1. It is important that the use of ICT resources is regulated, to ensure that the Council complies with the relevant legislation, regulatory codes of practice and its own corporate governance requirements, equal opportunities and anti-discriminatory policies and ICT best practice. The Council has developed this Acceptable Use Policy (AUP) to set standards and provide users with clear instruction and guidance on what constitutes acceptable and unacceptable use.

3.2. It is important that all Users have a shared understanding of what acceptable use is and are confident in using ICT Resources in line with the Council's values and behaviours and in accordance with the Employee Code of Conduct (for Council Employees) and the Elected Member Code of Conduct (for Elected Members) and in accordance with the terms of this policy. This clarity and shared understanding helps protect the Council and its assets from damage or loss as a result of deliberate or accidental behavior. It helps to ensure that all West Dunbartonshire Council information, particularly personal, customer and business sensitive information, is treated securely and appropriately at all times and ensure that all information collection, processing and sharing activities are identified and managed.

3.3. This AUP forms part of the framework for procedures and guidance relating to information processing, management, protection and handling. It provides guidance on acceptable use for all formats of information, systems and processes used. It ensures that the Council has a clear policy in place for the acceptable use of ICT resources and complies with the relevant legislation, regulatory codes of practice and its own corporate governance requirements.

3.4. It is important to state that if individual users have concerns about their ability to comply with this policy that they must NOT logon or use ICT resources and they should raise their concerns with their Line Manager. All such concerns must be resolved to the Council's satisfaction with affected users then being prepared to accept he Council's terms and conditions of this policy before proceeding further.

4. What do I need to be aware of?

4.1. Users must take all reasonable steps to comply with this Policy and should endeavour to ensure that all ICT resources are used effectively, safely and securely and that all

reasonable precautions are taken to avoid loss, theft and damage.

4.2. All persons covered by the scope of this policy should maintain an awareness of all the associated framework documents referenced in section 1.2 above.

4.3. Responsibility for maintaining awareness of the Council's Information Security Policy and associated framework lies with individual employees and can be located on the Councils Intranet.

4.4. All Users of the Council's ICT systems and or/services are expected to comply with this policy when making use of the Council's ICT resources. It should be understood that logging onto the Council's data networks and devices is intended to signify acceptance of this policy.

4.5. ICT are developing a new annual MOT process for portable devices, this process will require that these devices are brought to a Council location annually for healthchecks and rebuilds where appropriate.

4.6. All users of this policy must ensure portable devices are logged on to the Council network in a council location at least monthly to pull down security patches.

4.7. All users of this policy must be aware that they should not create Council-related websites without agreement from the WDC Web Manager

4.8. All users must lock their device when they leave it unattended.

5. What is Acceptable/Unacceptable and Personal Use?

5.1. Acceptable Use

The Council defines acceptable use as the use of Council ICT resources, systems and networks in support of carrying its business and/or functions, or any other permitted activity highlighted by this Policy. This includes official Trade Union business, Council sponsored training or education services and limited personal use. The following criteria will be used, where relevant, to assess whether usage is acceptable:

- Whether usage is in support of business and service needs consistent with Council policies including those detailed at 1.2 above;
- Whether usage is in support of an individuals approved duties/remit;
- Whether usage is consistent with the Council policy, procedure and guidance that is appropriate to any system or network being used/accessed;
- Whether the handling of the information is appropriate for the type of information; and
- Whether usage is limited personal use as defined below.

5.2. Personal Use

5.2.1 ICT Resources may be used for limited personal use provided that:

- This is not associated with monetary reward;
- It is undertaken on the users own time (non-work hours eg Lunch break, before or after work);
- It does not interfere with the delivery of Council services; and
- It does not violate this or any other Council policy, and is a lawful activity.

5.2.2 The Council accepts no liability for any loss or detriment suffered by personal use of Council ICT resources. The Council does not provide a secure transaction process system for any information passed, or purchase made, for personal use. Any personal use of Council resources to create, send, import or store personal information is done entirely at the users own risk.

5.3. Unacceptable Use

5.3.1 The effective operation of the Council's resources relies heavily on the proper conduct of all Users. The use of all ICT resources must be in compliance with all appropriate legislations, relevant Codes of Conduct and Council Policies.

5.3.2 Users must only use ICT resources that have been authorised for their use. Any attempt to gain unauthorised access to any ICT resources provided by the Council or use of the Councils ICT resources to gain unauthorised access to any other systems may be a breach of this policy, and may also be a breach of legislation (including the Computer Misuse Act 1990). Only hardware and software that has been authorised for use by ICT services may be used or connected within/to the ICT network.

5.3.3 Remote Access must be only undertaken via the Council's authorised solution and authentication must be via the approved Multi Factor Authentication (MFA) solution. Any devices using these processes will be deemed to be authorised devices.

5.3.4 For a list of examples of unacceptable uses of Council ICT resources please refer to section 12 of this policy. Users should be aware that this is not an exhaustive list, and each potential breach of this Policy will be assessed on its own individual circumstances and in line with the Council policies set out at 1.2 above.

5.3.5 If a user is in any doubt as to what constitutes acceptable or unacceptable use then they should seek clarification from their line manager in the first instance.

5.3.6 Unacceptable use by Council employees may lead to disciplinary action as set out at 9. below.

6. What do I need to do about Information Security?

6.1. WDC recognises that information is one of the Council's most important assets and that the consequences can be extremely serious should it be lost, stolen, compromised or misused. To this end, Regulatory Services are developing a separate procedure which provides specific guidance on how to maintain the confidentiality, integrity and availability of all information processed or retained. However some guidance is available as part of the Data Protection guidance.

7. What does a Line Manager Need to Be Aware of?

7.1. It is Line Manager's responsibility to:

- Advise via HR system and processes of new employees, and those leaving the Council to ensure continued access to information assets and systems remains applicable with access to ICT Resources being granted on the basis of a business justification and removed when no longer needed;
- Notify ICT via ICT Service Desk self service portal of changes to folder and system access where an employee changes job / role (both outgoing and new line manager may require to undertake this);
- Any exceptions to the above must be logged via the ICT Service Desk;
- Employees reporting to them are made aware of this Policy;

- Ensure that their team and relevant suppliers/contractors (i.e. suppliers / contractors consuming WDC ICT Services) are asked to review the policy annually as a minimum;
- Understand the risks presented by account sharing and nominate a named individual the task of monitoring use of any generic email accounts or other ICT resources. This involves the service area maintaining a log of who used the ICT resource and when it was used; and
- Report breaches or suspicious activity immediately and by any and all means available.

8. What about Privacy and Monitoring?

8.1 The Council seeks to safeguard users of ICT resources from inappropriate activities and unacceptable material. One of these safeguards is monitoring, others include a suite of defensive measures throughout the WDC network. All Council resources may be monitored for compliance with current legislation and Council Policies. Monitoring also has the following purposes:

- Comply with regulatory and statutory obligations;
- Monitor standards of performance;
- Ensure the effective operation of Council systems and information processing;
- Prevent or detect unauthorised use or other threats to information processing systems;
- Investigate allegations of misconduct, breach of contract, a criminal or civil offence or fraud by the user or any third party;
- Ensure compliance with Council policies and procedures;
- Review usage; and
- Ensure business operates during employee absence and other business requirements.

8.2. It may sometimes prove necessary for ICT systems to be accessed by Council management, nominated representatives and / or the Police (in particular circumstances) and for the contents of an employee's ICT account to be examined. The Council reserves the right to do this.

8.3. Monitoring will be undertaken in accordance with the Council's Privacy and Monitoring policy.

9. What about Breach Reporting & Consequences of Misuse?

9.1. It is vital that all users of council IT resources read and understand the policy and acquaint themselves with the framework for areas which affect them.

9.2. Breaches or suspicious activity must be reported immediately and by any and all means available.

9.3. This Policy and its framework are designed to avoid potential disciplinary action through a lack of understanding of what is acceptable use.

9.4. Breach of this policy may damage the reputation of the Council, citizens and its employees and may result in disciplinary action, criminal proceedings or disclosing information to law enforcement agencies or other third parties.

9.5. The Council may, at its sole discretion, suspend or terminate ICT access, withdraw, or remove any material uploaded by the user in contravention of this Policy.

9.6. Serious breaches of this policy may amount to gross misconduct and as indicated in the Council's Disciplinary Policy may lead to dismissal. Some examples include

- accessing another users' account;
- unauthorised editing and/or sharing of data;
- accessing or using pornographic or other indecent or obscene material;
- participating in any form of electronic communications based harassment; or
- using council equipment to facilitate illegal activity.

9.7. In the event of an allegation of unacceptable use of a Council IT Resource by a user not directly employed by the Council being upheld, the Council may ask the relevant third party (employer, 3rd Party Organisation) to take appropriate action and/or may report the matter to the Police with a view to commencing criminal investigation. These users will be subject to the provisions in the contract held with them or other acceptable use agreement they have entered into with the Council. In the event of any misuse they will be subject to the same processes as identified above.

10. Clarification of Policy

10.1 In the event of an issue arising from an interpretation of the AUP or framework content clarification should be sought from the ICT Security Officer in the first instance either by email or by telephoning 01389 737568.

11. Version Awareness

11.1 The audience of this document should be aware that a physical copy may not be the latest available version. The latest version, which supersedes all previous versions, is available on the Council Intranet. Those to whom this policy applies are responsible for familiarising themselves periodically (minimum annually) the latest version and for complying with the policy and its framework at all time.

12. Examples of Unacceptable Use

12.1 The following examples apply to the use of any ICT network operated by the Council (eg MOB network, wifi, telephony, wired) any Council ICT devices connected. It also includes the Council's partner organisations (HSCP, Leisure Trust, Valuation Joint Board) and Council suppliers.

12.2 It is unacceptable for an Employee to use, submit, publish, display, download or transmit (including the sharing of links or attachments) any information which:

- Restricts or inhibits other users from using the system or impairs the efficiency of the ICT systems;
- Violates or infringes upon the rights of any other person(s), including the right to privacy;
- Is offensive, indecent or obscene, including images containing nudity or sexually explicit content;
- Can reasonably be considered to promote any form of deception, defamation, racism, discrimination, harassment, maliciousness, misrepresentation, racism, victimisation, intolerance or violence;
- Encourages the use of controlled substances or uses the system with criminal intent;
- Uses the system for any other illegal purposes; and
- Breaches legislation or statutory requirements which the Council has to comply with e.g. Copyright Designs & Patents Act 1988, Data Protection Act 1998.

12.3 It is unacceptable for an Employee to use the facilities and capabilities of the Council's ICT systems to:

- Conduct any non-approved business;
- Download or install any unauthorised software;
- Undertake any activities detrimental to the Council;
- Transmit material or information or software in violation of any local, national or international law;
- Undertake, plan or encourage any illegal activities;
- Deliberately contribute to websites that advocate illegal activity;
- Harass an individual, group of individuals or organisations;
- Make offensive or derogatory remarks about anybody on discussion forums or Social Media as per the Council's Social Media Policy;
- Post offensive, obscene or derogatory content (including photographs, images, commentary, videos or audio) on discussion forums or Social Media;
- Create or share any content which breaches confidentiality;
- Transmit Spam (electronic junk mail) on Council network or Forward/Auto forward Council information to personal email addresses in line with Council's data handling policy;
- Attempt to compromise ICT equipment, systems and networks, prevent legitimate access to them, delete data, damage them or seek to cause degradation of performance or a denial of service;
- View, transmit, copy, download or produce material which infringes the copyright of another person or organisation;
- Conduct any unauthorised political activities; and
- Click email links without previously checking the source.

12.4 It is unacceptable to use ICT Resources that have been identified as having security vulnerabilities. This will be subject to investigation and development of an action plan.

12.5 Most assets are tagged to identify them as council property - these tags must not be removed or interfered with.

12.6 Employees should ensure that they do not in any way prejudice the reputation of the Council by using assets in a way which may cause embarrassment to the Council, bring it into disrepute or exposure to legal liability.

12.7 Employees must not save non-business related material to the Council's IT servers, local drives or cloud repositories, even during acceptable personal activity, e.g., personal files such as word processing, spreadsheets, PDF's etc., MP3 files (music), exe files (games, screensavers or software), jpg or mpg files (pictures or videos).

12.8 Employees must not connect **personal or unauthorised** devices with the ability to store data to Council IT equipment or networks. This includes devices such as smart phones, MP3 players and USB sticks.

12.9 Individually allocated assets such as IT accounts must not be shared with others unless a business requirement has been identified and approved, once risk assessed, by ICT Security.

12.10 Employees must refrain from the use of unauthorised on line chat rooms.

12.11 Employees must not use or attempt to access on line gambling sites or apps from council resources.

12.12 Council resources used inside or outside the work place must always be locked when unattended.

12.13 As a result of the increased risk of compromise, new processes will be developed for any council resources used abroad, this may involve the surrendering of such devices for examination prior to being reconnected to the councils networks. This may include smart phones, laptops and tablet devices.

12.14 All council provided resources must be returned to the council on request.

12.15 Employees must not disable protective software such as antivirus nor attempt to circumvent Council electronic security measures.

12.16 Users must not attempt to access blocked web sites by any measures such as proxy avoidance tools.

12.17 Employees accessing personal/sensitive data must not request access to use the BYOD facility, this includes those accessing or handling information from DWP, SCRA, Social Work, failure to comply with this control may result in a breach of Sharing agreements and/or Memorandum's on understanding.

12.18 Under no circumstances should anyone handling payment card information process any transactions from outside the controlled work place environment, failure to comply with this measure will result in a breach of the Payment Card Industry Data Security Standards (PCI DSS).

12.19 Employees must not attempt to deliberately access physical resources / facilities for which they don't have authority to access including other users accounts.

12.20 Employees must not access another users' account or undertake in the unauthorised editing and/or sharing of data.

12.21 Passwords must be used to protect all systems and must be maintained securely and not disclosed to others

Appendix 3

West Dunbartonshire Council

(Information Security Policy Framework)
Acquisition and Disposal of ICT

1 All acquisitions should be in accordance with the provisions of the Council's Standing Orders and its Financial Regulations. ICT asset tag PCs, Windows laptops and tablets but not printers, monitors, USB keys and Mobile phones . Any queries should be directed to Corporate Procurement and/or ICT Service Desk.

1.1 Prior to the disposal of any IT equipment, ICT must be consulted to arrange for inventory details to be recorded and removed from inventory list. ICT will also advise if the permanent removal of all data and software is required or if the software license can be transferred to another PC.

1.2 In the event that the disposal of equipment, electronic media or output containing personal or sensitive data is required, this must be advised to and arranged via ICT to ensure proper removal of confidential data.

1.3 Disposals should be in accordance with the provisions of the Council's Standing Inventory Instructions. ICT equipment includesTapes, CD, DVD, USB drives, mass storage drives, external hard drives, optical drives and media, computer printed output and ICT related WEEE (Waste Electrical and Electronic Equipment).

1.4 All paper output no longer required by the Council should be disposed of with due regard to its sensitivity. Confidential paper output should be disposed of by shredding or secure disposal by an approved agent. Each Service is responsible for ensuring that appropriate facilities are provided.

NB. This procedure is currently under review, if in doubt, please contact Records Management for advice.

1.5 It is essential that all asset tagged ICT equipment retain the tag when prepared for disposal for Asset inventory purposes.

1.6 All printed /paper output no longer required must be disposed of in keeping with the authorities data protection policy and be in line with guidance on WDC's records retention periods.

Appendix 4

West Dunbartonshire Council

(Information Security Policy Framework)
Privacy and Monitoring

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1 Introduction

These **Privacy and Monitoring** guidelines provide information related to the monitoring of IT communications and use of IT technology and specifies:

- The definition of electronic communications;
- The approach to monitoring and interception of communications;
- What information is recorded by usage logging;
- How content inspection is controlled; and
- How users of electronic communication facilities are made aware of this procedure.

Electronic communications covered by these guidelines include:

- Telephones including, land lines, mobile phones, smartphones and IP/Internet Telephony also referred to as VoIP (Voice over Internet Protocol);
- Verbal recordings such as dictation, voice-mail and systems that record telephone calls from, for example clients and citizens;
- Internet access including social media and file sharing access;
- Cloud hosted system use including O365 content such as email, connectivity to the Council tenancy, processing and sharing of content;
- Instant messaging use;
- Voice, web and video conferencing facilities;
- Email use;
- Fax communications;
- ICT Systems and facilities;
- Computing Networks and attached equipment including non-wired connections and equipment such as wireless; and
- Remote connections to the Council.

2 Scope of Guidelines

These guidelines apply to all Council employees whether permanent, contract or temporary, Elected Members or any other party accessing any computer systems owned, leased or operated by West Dunbartonshire Council and are part of the Acceptable use Policy framework.

“ICT Systems and facilities” refers to physical hardware, software applications, peripherals and components of the Councils network infrastructure that support the transmission of electronic data.

These guidelines extend to the use of all such equipment or systems. This applies regardless of where those equipment or systems are located. This also applies regardless of the physical location where user access or connections originate.

3 Awareness

Employees will be made aware of the Acceptable Use Policy and associated framework as follows:

- New starts will be informed at their Service induction;
- Updates to the policy will be distributed via electronic means such as MetaCompliance[1], email or future tools used by the Council;
- Services will be responsible for manually distributing updates to the policy where anomalies exist such as multiple users sharing a login account;
- The policy and associated procedures will be available on the Councils Intranet or online by other means; and
- Updates will be communicated via Information Security Forum representatives.

Elected members will be made aware of the Acceptable Use Policy and associated procedures as follows:

- Informed of the policy at initial briefing and induction;
- Updates to the policy will be highlighted by Members Services; and
- The policy and associated procedures will be available on the Councils Intranet or online by other means.

4 Clarification of Policy Contents

In the event of an issue arising from an interpretation of the AUP or these guidelines clarification should be sought from the Manager of ICT.

For further advice or assistance please contact the ICT Security Officer in the first instance either by email or by telephoning 01389 737568.

[1] MetaCompliance automates the dissemination and acceptance of policies

5 General

1) Access to Council information processing systems and facilities is provided for business use. Any circumstances that permit personal use will be publicised on the Intranet; misuse or prohibited use shall be dealt with under the Council's disciplinary procedures.

2) A range of monitoring is undertaken to ensure information processing facilities are operating efficiently and effectively. Information entering, leaving, accessed or stored on information processing facilities, including Internet access, Instant Messaging and Council email is monitored. The monitoring undertaken is not generally focused on specific individuals; however personal data may be accessed as part of the process.

3) By logging in to any Council information processing system or facility a user is deemed to consent to the Council's monitoring procedures.

4) Monitoring is undertaken principally to:
   - Comply with regulatory and statutory obligations;
   - Monitor standards of performance;
   - Ensure the effective operation of Council systems and information processing;
   - Prevent or detect unauthorised use or other threats to information processing systems;
   - Investigate allegations of misconduct, breach of contract, a criminal or civil offence or fraud by the user or any third party;
   - Ensure compliance with Council policies and procedures;
   - Review usage; and
   - Ensure business operates during employee absence and other business requirements.

5) To ensure information processing systems are not open to abuse, the Council reserves the right to monitor individual employee's usage. This level of monitoring must be fair and proportionate and will be appropriately authorised.

Privacy

6) The Council aims to strike a balance between respect for an individual's privacy while enabling the monitoring and scanning necessary to fulfil legal obligations and business needs.

7) Individual's privacy will be respected in accordance with the Human Rights Act 1998 and data protection law such as the Data Protection Act 2018 and GDPR. The Council will act in accordance with its obligations under the
   - Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000;
   - Regulation of Investigatory Powers (Scotland) Act 2000 (RIPSA);
   - Privacy and Electronic Communications (EC Directive) Regulations 2003; and
   - And any other relevant legislation as may be enacted from time to time.

8) Monitoring differentiates between:
   - <u>Usage logging</u> – involves collecting data, generally from automated log files, showing information related to how and when a user accessed an information processing system with a specific user account (i.e. a login);

- Content inspection - viewing information held in business or personal files, email etc or viewing information on screen. Content inspection will take place only if properly authorised and if the usage record alone is not sufficient; and
- Covert monitoring – actively undertaking targeted monitoring of an individual in a way that would not be expected and without their knowledge. Covert monitoring could involve real time monitoring of events. The Council will not normally undertake covert monitoring under the scope of these guidelines.

Usage logging

9) Usage logging is undertaken to ensure and improve service performance, comply with legislative requirements and to help identify and investigate potential prohibited use or misuse. This can be undertaken by the Council or on its behalf by a 3rd party supplier / contractor.
   - Typical data logged is noted at the end of this document;
   - Content logging is minimal as the aim is to log information about the activity however some logs will retain minimum information as part of the standard logging process; and
   - Access to logging information is restricted and controlled.

Content Inspection

10) Content inspection will only be undertaken for legitimate business reasons which may include:
    - To ensure continued business operation during employee absence or when an employee leaves their post;
    - To comply with legislative requests for information such as Subject Access and Freedom of Information requests;
    - Where there is reason to believe that a breach of policy is or has occurred, including a breach of the Acceptable use Policy and its framework;
    - To comply with the request of law enforcement officers;
    - To comply with legal obligations;
    - To prevent or detect contravention of criminal or civil law; and
    - Where there is reason to believe that a breach of an individual's employment contract is occurring or has occurred.

11) Council IT systems and facilities are provided for business use. The Acceptable Use Policy framework outlines where limited personal use is permitted. Monitoring systems cannot differentiate on types of use therefore any communications on Council facilities should not be regarded as private.

    Content inspection may involve viewing or accessing information held in:
    - Business and or personal files and documents;
    - Business and or personal email messages or any other ICT based communication;
    - Business and or personal information within instant messaging systems;
    - Business and or personal information within any information store, drive structure or repository provided by the Council;
    - Business and or personal information displayed on a screen;
    - Emails that have not yet been opened or received by the intended recipient;
    - Detailed access logs such as those detailing Internet use; and
    - Telecoms and voice recording systems.

12) Requests to inspect content must be formally requested by a Senior Manager using the appropriate process.

13) Where the process requires it, managers will normally seek authorisation from a Strategic Lead. Where the request involves a Strategic Lead authorisation should be sought from the relevant Strategic Director or from the Chief Executive (if appropriate). If the request involves a Strategic Director or Elected Member, authorisation should be sought from the Chief Executive.

14) Where authorisation is granted, the authorising officer must ascertain if it is appropriate to advise the individual concerned.

15) The individual concerned should normally be informed of any inspection in advance and again on completion. However, in certain circumstances it may be necessary to obtain access without informing the individual, such as where there is reason to believe that to do so would prejudice an investigation, the employee is on long term absence or the individual is no longer an employee.

16) The authorisation should be passed to the Information Security Officer for action or other member of IT Services if appropriate.

17) IT Services team managing the request will ensure approval has been given and demonstrate when access was provided and to whom. This information will be held by the Information Security Officer or the IT Service Desk where appropriate and may involve HR.

Covert Monitoring

18) Circumstances for covert monitoring are very rare and as such will not normally be undertaken by the Council. Such requests would be authorised by the Strategic Lead, Legal & Regulatory Services and the Chief Executive without notification being provided to individuals as doing so could prejudice the prevention or detection of suspected criminal activity or malpractice.

    Authorisation would include a permitted timeframe for the monitoring with all activity ceasing after any investigation is complete.

    Circumstances where covert monitoring may be authorised include:
    - To comply with the request of law enforcement officers;
    - To comply with legal obligations;
    - To prevent or detect contravention of criminal or civil law; and
    - To prevent or detect malpractice.

6 Automatically Logged Data Examples

Examples of data which may be automatically logged includes, but is not limited to:

Source	Information
Network and application access	User Id date and time of login, Location of access device File(s) accessed, modifications and deletions Print activity Data copying Processes initiated and terminated
Cloud hosted applications (by the Council and on its behalf)	User Id date and time of login, Location of access device File(s) accessed, shared, modifications and deletions Invitations to other parties Print activity Data copying Processes initiated and terminated Where available record based activity
Email	Sender email address, Recipient(s), Date, time Size Subject Content Attachment size and type Routing Filtering undertaken and results
Email Journaling	As above Content
Instant Messaging	Sender and Recipient name Date, time Content Files transferred
Conferencing facilities (Inc. webinars, skype etc.)	User Id date and time of use Location of access device File(s) accessed, modifications and deletions Print activity Data sharing undertaken Processes initiated and terminated
Internet	User Id date and time of login Location of access device Sites accessed and access time Blocking undertaken
Telephone	Date and time of call Duration Number making the call Number called Ring time if unsuccessful Cost (if appropriate)

Appendix 5

West Dunbartonshire Council

(Information Security Policy Framework)

Information Security/Data Protection Forum Charter

Purpose

The purpose of the forum is to meet and consider issues around Information Security and Data Protection/GDPR.

The forum will formally meet quarterly with minuted meetings, the core representatives on the forum will consist of;

ICT Management Representation;
Manager of Audit;
Data Information/Protection officer; and
ICT Security Officer.

The forum representatives, (consisting of nominated senior employees from each service area) or a subset as required, will also meet, in response to incidents and will include relevant service managers and/or subject matter experts as well as representatives from the WDC senior Management team as required.

Standing Agenda

The Forum will have a standing agenda as part of the quarterly meetings consisting of;

- New Incidents (Since previous meeting) including actions to date and incidents reported to ICO;
- Preventative measures adopted resulting from incidents;
- Potential Future Risks, e.g. introduction of new systems, office moves and closures etc;
- Employee awareness sessions and Learning Management System update; and
- Case Studies, ie recent fines and penalty notices, legislation etc.

West Dunbartonshire COUNCIL

Appendix 6

West Dunbartonshire Council

(Information Security Policy Framework)
Reporting of Information Security Concerns

If anyone becomes aware of, or suspects that a violation of the Information Security Policy framework has occurred, whether from an internal or external source, paper or electronic records, they must comply with the guidance below.

Violations of the Information Security Policy may include, but are not limited to, any act that:

- Exposes the council to actual or potential monetary loss through the compromise of ICT security, eg clicking on a link within a phishing email;
- Involves the disclosure of confidential information or the unauthorised use of Council data, eg sending a letter to the wrong recipient, checking a neighbours balance;
- Involves the use of data for any illicit purposes, which may include violation of any law, regulation, or any reporting requirement of any law enforcement of government body;
- May result in the deliberate of inadvertent compromise of WDC systems or networks; and
- Contravenes the conditions laid in in the Councils Acceptable Use Policy.

This list is not exhaustive as the Information security landscape changes constantly, if in doubt, contact the ICT Security Officer and/or the Data Protection Officer.

Any individual who has knowledge of a violation of the Information Security Policy must report that violation immediately to one of the following

- ICT Security Officer;
- Data Protection Officer; and/or
- Line Manager.

If reported through the Line Management chain it is the Line Managers responsibility to ensure that the violation is brought to the attention of the ICT Security Officer and/or the Data Protection Officer.

Employees can also use the confidential whistleblowing process:
Whistleblowing - Employee Intranet

WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Lead – People & Technology

Corporate Services Committee: 21 August 2019

Subject: Review of Supporting Employee Performance Policy

1. Purpose

1.1 The purpose of this report is to update the committee on the review of the Supporting Employee Performance Policy and the proposed changes.

2. Recommendations

2.1 The Committee is asked to approve the revised Supporting Employee Performance Policy (as detailed in Appendix 2).

3. Background

3.1 The Council is committed to ensuring that all employees have the appropriate skills, knowledge, competence and aptitude to undertake their role effectively and that there is a clear procedure for managing and addressing performance issues in a reasonable and fair manner.

3.2 Since the introduction of the Supporting Employee Performance Policy, various practices have been used to support employees to improve work performance, and maintain appropriate standards. The procedure provides a structured and supportive framework to address performance issues and encourage improvement.

3.3 As a result of feedback from Trade Unions, HR practitioners, managers and employees, the review was established to create a more supportive policy. It is anticipated that this will assist in promoting a more supportive and approachable culture between management and employees when managing performance. A number of adjustments to the Supporting Employee Performance Policy have been agreed with the policy development group and these are set out in summary at section 4 and detailed in Appendix 1.

4. Main Issues

4.1 Use of the policy since its' introduction highlighted the need for additional support and the informal stage could feel less formal. To progress this, it was important to consider pro-active measures that may be relevant.

4.2 Feedback to date has focussed on the length and perceived lack of support during the process. Therefore the policy has been reviewed to include clarity

and positive language, encouraging a culture of open conversations between employees and their managers.

4.3 The focus groups discussed the informal stage of the process in detail and agreed that the paperwork and action plan could feel formal. As a result of this, the informal stage will remain a conversation between the manager and employee with various support options utilised during the review period to ensure that the employee has the skills and training to undertake their role effectively. The replacement of the action plan coupled with a more informal note of the meeting will deliver a less formal and more supportive approach.

4.4 Additional guidance on the formal stages and the action plan were thought to be required and an example action plan has been added to the policy.

4.5 Responding to the feedback gathered from the focus groups, the policy has been reviewed to ensure that the process is viewed as a supportive interaction between line manager and employee. In accordance with the Policy Framework, amendments have been made in discussion with Trade Union colleagues, HR and service managers, to support effective joint understanding. HR also undertook a benchmarking exercise with other council's performance policies and best practice guidance from ACAS and the CIPD to ensure consistency and learning from other practice.

4.6 Supporting documents such as manager guidance, invitations to meetings letters etc. will be updated to reflect the agreed changes in the policy and ensure that the tone of any correspondence sent to employees is both appropriate and in keeping with the supportive approach. Additionally, the employee supports available will be highlighted in letter templates to ensure awareness of same. This also helps to ensure that those who don't regularly access the intranet are made aware of where they can access the information.

4.7 It is anticipated that these changes and additions to the policy will further support the management of the process and to help align with organisational values and objectives.

5. People Implications

5.1 The changes/additions outlined in the report will ensure that the policy better reflects the supportive approach intended and change the perception and the style in which the policy is applied. It is critical to further embedding a culture of support but also help employees realise their potential and organisational goals.

6. Financial and Procurement Implications

6.1 There are no financial implications associated with revision of this policy and procedure.

7. Risk Analysis

7.1 Application of the revised policy and practice will mitigate against any potential risks by ensuring fair and effective management and support of employees and limiting inconsistencies in practice across departments.

8. Equalities Impact Assessment (EIA)

8.1 A revised equalities impact assessment has been completed. This includes details of potential impact upon sex, disability, age and pregnancy/maternity. There may be an impact on sex as the majority of the workforce is female. Those with a disability could be affected if their disability has an impact on their performance. The Council has an ageing workforce so it could be that some age ranges are affected than others. Those returning from a prolonged period of absence such as those returning from maternity may need more support in their return to work so could be affected.

9. Consultation

9.1 The changes to the Supporting Employee Performance Policy were informed by feedback from Service Managers, HR and Trade Unions. The changes were discussed at focus groups on 12th December 2018 and 7th May 2019 and subsequently agreed. The convenors agreed the changes subsequent to the meeting on 18th June 2019.

10. Strategic Assessment

10.1 This report directly supports the Council's Employee Wellbeing Strategy ensuring this policy is aligned to the ethos in providing meaningful support to employees.

Victoria Rogers
Strategic Lead – People and Technology
Date: 24th July 2019

Person to Contact: Cher Colquhoun, HR Advisor
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Appendices: Appendix 1 – Table of changes
Appendix 2 – SUPPORTING EMPLOYEE PERFORMANCE POLICY

Background Papers: EIA

Wards Affected: None

Appendix 1 – Table of Changes

Section	Changes/Additions	Rationale
Performance management	Describes the culture managers are expected to adopt	This amendment helps support a more positive culture for attendance management and expects managers to create an approachable, open and honest environment.
Pre-requisites for poor performance	Additions in the form of management responsibilities	To ensure employees know what standards are expected from the recruitment stage.
Application of Policy and Procedures	Additions in the form of what may constitute under performance and the difference between that and a conduct issue.	To help managers successfully identify under performance.
Qualifications	Describes what to do if driving is a specified duty of the job and the person loses their licence	Guidance to help managers know what action to take in different situations.
Sickness during process	Guidance on what to do if someone becomes sick during the process	This is a regular HR query so clarity provided.
Line Management	Additions in the form of what an employee does if they perceive their line manager to be ineffective.	To reduce stigma or fear of approaching senior line management with concerns and to create an approachable culture.
Informal procedure	Removal of the need to have an action plan at the informal stage Additions in the form of creating a supportive and open culture	To reduce the deemed formalness of this stage of the policy. To help create a supportive and open culture
Formal procedure	Details of what should be included in an action plan.	More information about what should be included in a formal action plan.
Appendix A	Details of supports that are available	To help managers explore options for employees to help support them during the process.
Appendix B	Action Plan example	To assist managers in what should be included in an action plan.

HR Employment Policy & Procedures

Supporting Employee Performance

Implementation Date: August 2019

The behaviours outlined in the ACHIEVE Framework should be reflected in the application of this Policy.

West Dunbartonshire COUNCIL

Document Management - Version Control

Policy Title & Reference	Supporting Employee Performance	HRP/060	
Version Number & Date	1.3	August 2019	
Title, Version Number & Date of Superseded Version (if applicable)	Supporting Employee Performance	1.2	June 2018
Rationale for introduction/Driver for change	Review of other local authority policies and ACAS guidelines, TU request to review.		
Summary of Substantive Changes (if applicable)	Changes to informal stage – removing the need for action plan and replacing with a noted discussion between employee and manager. Content changed to reflect the importance of recruitment, selection, training and induction. Section added where employee loses their licence.		
Summary of Technical Changes (if applicable)			
Lead Officer	Cher Colquhoun, HR Adviser		
Final Trades Union Position	Substantive changes in version 1.3 were agreed		
Consultation & Approval Process	*Committee*	*Date*	
	Trades Union Convenors	18th June 2019	
	JCF (if applicable)		
	C. S. Committee (if applicable)	21/08/19	
Accompanying Documentation (incl. EIA)	Accompanying guidance for managers, including forms and template letters (http://intranet.west-dunbarton.gov.uk/transformation/people-technology/hr-online/core-employment-		

	policies/supporting-employee-performance/) Existing EIA (2014)
Linked Policy, Schemes and Procedures	

West Dunbartonshire COUNCIL

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Supporting Employee Performance

1. INTRODUCTION

The Council will seek to ensure that our recruitment and selection processes are of the highest standard to ensure we recruit the most appropriate candidates. Throughout an employee's career, we will endeavour to ensure that every employee is supported to achieve and maintain high standards of work; are aware of and meet the standards of the ACHIEVE framework whilst undertaking the duties for their role to a satisfactorily level.

1.1 The objective of this policy is to ensure that employees are given advice, support, encouragement and guidance to improve work performance, and maintain appropriate standards, where issues in relation to performance arise.

1.2 The Council is committed to ensuring that all employees have the appropriate skills, knowledge, competence and aptitude to undertake their role effectively and that there is a clear procedure for managing and addressing performance issues in a reasonable and supportive manner.

2. SCOPE

2.1 This policy and procedure applies to Local Government Employees, Chief Officers and Craft Workers. Separate Performance Management policies and procedures exist for Teachers and for the Chief Executive.

2.2 The Council will ensure that good equal opportunities practice underpins the operation of this policy irrespective of age, disability, sex, gender re-assignment, race/ethnicity, religious faith/beliefs and sexual orientation, marital status, pregnancy/maternity. An equality impact assessment has been completed.

3. KEY PRINCIPLES

The key principles of this policy are:

3.1 **Clear performance standards -** Managers will ensure all employees are aware of their role, duties, responsibilities and required standards of performance and behaviour. The manager should refer to the Job Description and Person Specification to make sure that standards are in line with specified requirements of the role. Personal objectives, development, training and support will be agreed through the "Be the Best Conversations" framework. Performance standards will take account of different measures of performance relevant to the job and the "Be the Best Conversations" process will be used as a basis for discussing and agreeing performance expectations.

3.2 **Support and Supervision -** Employees will receive appropriate support to enable standards and targets to be met. Regular reviews and support such as "Be the Best Conversations" and Supervision Policy (HSCP) will help

managers regularly review performance and help to manage and identify under performance early.

3.3 **Supporting Improvement** - Managers will always seek to resolve issues informally, encouraging and assisting improvement wherever possible. Managers should create an open and honest culture whereby performance issues can be discussed. When issues arise managers should ensure consistency and confidentiality with any underlying reasons and mitigating circumstances taken into consideration.

3.4 **Managing Improvement –** Performance issues will be dealt with initially on an informal basis. Formal action will only be appropriate where the initial informal approach has not led to the necessary improvement in performance, or where the capability issue is of a serious nature. Employees will be given the opportunity to state their case and be represented at all formal stages by a union representative or work colleague.

4 PERFORMANCE MANAGEMENT

When performance concerns become apparent, action is required in the interest of both the service and the employee. A failure to deal with this may adversely affect colleagues and the quality of service. Performance concerns in relation to supervisors and managers require immediate attention from line management. Managers are crucial in creating the culture and workforce environment where employees are able to deliver results in a supportive environment.

5 PRE-REQUISITES FOR GOOD PERFORMANCE

The key to preventing poor performance is to be clear to employees what standards are expected of them, with the following being key to this:

5.1 Job Description and Person specification

The job description should include the main duties of the post. The person specification should outline the experience, qualifications and skills that would be expected to carry out the duties of the job. The Job Profile should not be a static document and should be reviewed when the needs of the post or if the occupancy of the post changes.

5.2 Recruitment and Selection

Recruiting the right person with the necessary skills and experience to be able to perform in the job is key to ensuring satisfactory performance is achieved. The interview should be used as an opportunity to assess how closely candidates meet the specification for the job and should include any specifics of the job i.e. in this job you will be required to work some weekends.

5.3 Induction

The induction process is an essential part of beginning a new job. It can help employees settle in quicker, get to know the organisation better and to make clear what standards are expected of them. The Council have corporate induction programmes for all new employees and managers. Where possible, this should be supplemented by a service introduction.

5.4 Be the Best conversations

These conversations must be carried out regularly throughout the year to engage, re-focus and review progress. This can be an opportunity for both employees and managers to discuss all aspects of the role. The meetings should be open and honest and include positive feedback as well as any areas for development, support and improvement.

5.5 Team Meetings

Regular team meetings should be held by managers, ideally once a month. These meetings can be used to focus the team and reiterate team goals. This can also be an opportunity to discuss any problems the team are facing. This should also be an opportunity for team members to share knowledge and experience to help the development of the team as a whole.

5.6 Workload Management

Managers are responsible for ensuring that the workload of their employees is reasonable and manageable. Where there are conflicting and competing priorities employees should make managers aware to agree solutions. Employees should receive appropriate support and guidance for managing their workload.

6 APPLICATION OF POLICY AND PROCEDURE

6.1 This policy and supporting procedure is designed to deal with instances where the employee needs assistance in some area of skill, ability, experience or knowledge which results in sub-standard work or unsatisfactory performance. The procedure provides a structured and supportive framework to address performance issues and encourage improvement.

6.2 Identifying that there is a capability issue

In order to determine whether there is a capability issue, the following questions should be considered:-

- What are the indications that the employee is not meeting the requirements of the job?
- Are there factual grounds to indicate inadequate performance, such as not meeting objectives or failure to deliver the requirements of the job?

6.3 The Manager should consider the reason for performance issues and refer to the appropriate Council policy and procedure relevant to the circumstances.

6.3.1 Conduct – Where the employee appears unwilling or negligent in undertaking the duties of the role rather than failing to meet the standards expected through a lack of ability/skill/knowledge or training this will be considered a conduct issue and will be dealt with under the Disciplinary Policy and Procedure.

Examples of this behaviour would be if an employee is asked to complete a task but refuses to do so and does not have a valid reason for not undertaking the task; or, where the employee's conduct at work falls below the standards expected. Advice should be sought from Strategic HR in this circumstance.

6.3.2 Capability – Where the employee lacks the skills, experience, knowledge, qualifications or training to undertake the role this will be dealt with as a capability issue. If, despite adequate support an employee is unable to perform all aspects of their role satisfactorily other options such as the SWITCH policy should be considered before the capability procedure outlined in section 13.2.5 should be followed.

The manager should try to establish whether the employee is underperforming due to health or personal reasons. It may be appropriate to make a referral for counselling, occupational health, consideration of redeployment or ill health retirement. Where the employee's condition is likely to be covered by equalities legislation, reasonable adjustments and appropriate support must be considered. Health issues should be dealt with through the Supporting Employee Wellbeing Policy.

7 CODES OF PROFESSIONAL STANDARDS, PERFORMANCE, CONDUCT AND ETHICS

7.1 Where there is a professional requirement for an employee to adhere to a code of professional standards, performance, conduct and ethics employees are required to uphold these standards at all times. Employees who require to be registered with a professional body, for example SSSC, will be referred to the relevant body by the line manager if performance issues arise. There are criteria for this so please speak to Strategic HR if unsure.

8 QUALIFICATIONS

8.1 Individuals that are required to drive in order to undertake the normal duties of a post must hold a valid UK license that covers the appropriate class of vehicle.

8.2 In the circumstance that an employee is disqualified from driving and driving is a specified duty of their job, they are therefore unable to meet the terms of their contract. Employees have a responsibility to advise of disqualification / health issues with regards to driving council vehicles. Contact should be made with HR for advice on how to proceed.

8.3 If the reason for disqualification for driving relates to ill-health, advice should be sought from the Council's Occupational Health provider to determine whether there are any reasonable adjustments that could be made or whether the employee would be considered to have a disability under the Equalities Act 2010 in which case there is a legal obligation to make adjustments.

9 SICKNESS DURING PROCESS

If an employee is sick during this period an occupational health appointment should be made in which the OH professional should be asked whether the employee is fit to take part in the procedures. The Council's Stress Management Policy should be followed in instances of stress.

10 LINE MANAGEMENT

If an employee feels unable to raise issues with their own line manager, they may do so with a more senior manager. All managers should encourage a culture of openness and visibility so that they are approachable in such circumstances.

11 REVIEW AND MONITORING

11.1 The policy and procedure will be reviewed in line with employment legislation and employment practice. Any amendments to the policy will be implemented after full consultation with the trades unions.

PROCEDURE FOR SUPPORTING AND MANAGING PERFORMANCE ISSUES

12 STAGE 1 - INFORMAL DISCUSSION

12.1 The vast majority of performance issues will be managed informally by re-enforcing the standards expected and assisting and encouraging the employee through appropriate supports to achieve the required improvement in performance standards. Managers should have a professional dialogue with their employees and approach any performance issues.

12.2 The employee should be invited to attend an informal discussion meeting. The manager should take a note of this meeting detailing matters discussed alongside key actions agreed, with timescales where relevant. The areas of concern should be discussed with the employee with examples provided. The approach should be to support improvement through offering advice and guidance on expected future performance and to support the employee to achieve the standards required. Examples of supports are included in Appendix A.

12.3 The manager should also consider if the standards set were appropriate, i.e. was the employee given inadequate instruction, training or supervision? If

this is the case, the manager must acknowledge this with the employee and put measures in place to correct this immediately.

At the end of the informal discussion, a suitable period should be agreed in which to review the performance. The timescales agreed should allow adequate time for improvement, taking into account the nature of the concerns and the support mechanisms which have been agreed. Depending on the circumstances, it may be appropriate to hold more than one such meeting at appropriate intervals. The employee should be made aware that failure to demonstrate an improvement in their performance within this period is likely to result in the situation being dealt with on a formal basis.

12.4 Review meetings should be conducted regularly to monitor the employee's progress. At these meetings, it is important that both the employee and the manager have an opportunity to reflect and feedback their own perspective on progress made. Dependent on the level of performance achieved by the agreed final review date, the following action should be considered:

- where the performance is satisfactory and is maintained, the employee will be given positive feedback and application of the procedure will cease. (Letter 2);
- should significant improvements be evident, but required standards of performance not yet achieved the manager can extend the review period for a further period (Letter 2(ii)); or
- where there has been insufficient improvement, or a further shortfall in performance, and the Manager is satisfied that all adequate support has been provided, the matter
- should progress to the formal stage. (Letter 3).

12.5 If, at any stage during the informal or formal procedure, it is considered by either the Manager or the employee that a redeployment opportunity which is more commensurate with the employee's qualification, knowledge, skill and ability would be beneficial and a post is available, this should be considered and discussed with the employee. The employee should be made aware at this stage that if there is a refusal of the post it may not be available later in the process and failure to meet performance standards continuously could ultimately lead to dismissal on the grounds of capability. Any subsequent redeployment would be on the terms, conditions and grade for the redeployed post.

13 FORMAL PROCEDURE

13.1 If, following the agreed final review date there has been insufficient improvement a formal approach will be taken. The Manager should be able to clearly demonstrate to the employee why the matter is progressing to the formal stage, support provided, and examples of continued underperformance. The formal process is used for clear performance issues and it would be rare for one incident to lead to the formal process being applied. This assumption is based on awareness that the employee will have

been recruited into the post and is expected to have the necessary skills and abilities.

An improvement action plan should be agreed at the formal meeting. As a guide an 8-12 week structured improvement period would be set however the timescale for improvement should reflect the actions/degree/volume of support/training required.

If the timescale is unrealistic, i.e. to complete the required training or a learning intervention, or if felt appropriate, then a longer period could be agreed. The employee will be provided with a copy of the agreed objectives, outcomes and timescales set out in the action plan. (Letter 1).

13.2 The formal stages are detailed below.

Stage 2 - Capability Meeting

13.2.1 The employee will be provided with 5 working day's notice of the Capability Meeting and the right for representation at the meeting.

An improvement action plan is key for monitoring performance and making sure that the employees know what is expected of them. A collaborative approach with the employee should be taken when determining the course of action that will enable the employee to reach the required standard. The following should be discussed and recorded as appropriate:

- clearly explain the shortfall between the employee's performance and the required standard, providing examples;
- explore with the employee possible causes of the performance problem, review support already provided and whether other support can be provided e.g. training, retraining, monitoring, shadowing, general support, reasonable adjustments, tailored adjustment agreement (where appropriate);
- allow the employee to have an opportunity to challenge and/or put forward any facts and evidence for consideration;
- agreement of improvement plan and further targets;
- set review period and final review date
- explain to the employee what will happen if the standard is not met within the formal review period.

Follow Up Action

13.2.2 The outcome of the meeting will be confirmed in writing to the employee (Letter 4). The letter will also advise that should the employee fail to improve and sustain satisfactory performance by the end of the review period this may result in progressing to Stage 3. There should be regular review and constructive feedback during the review period.

13.2.3 At the agreed review date a final review meeting will be held. At this meeting the employee's progress will be discussed, dependent on progress the outcome of the review will be:

- where a substantial improvement has been made, but not to the full level required, the Manager may elect to extend the review period for a further 4 weeks (Letter 5);
- no further formal action as specified levels of performance achieved, however a performance improvement note will remain on file for 6 months (Letter 6) ;or
- the employee has made little or no improvement, and has shown few signs that they will be capable of meeting the required standards and the matter will therefore progress to stage 3 (Letter 7).

Appeal of Stage 2

13.2.4 Where it is considered that an unreasonable approach has been taken in the application of the procedure, the employee has the right to appeal to the next level Manager. This Manager will consider action taken and where appropriate, remedial action will be taken. In the case of a senior manager being performance managed, the appeal may go to a peer of the line manager e.g. if a Grade 12 is being performance managed, the appeal could go to another Strategic Lead.

Stage 3 - Capability Meeting

13.2.5 This meeting will be convened within 5 working days and a Senior Manager will be appointed to consider the matter (Letter 8). The employee will have the opportunity to answer points and provide any other relevant information. The stage 2 Manager will provide details of all support provided. The Manager will consider the matter and make a decision which will be:

- in exceptional circumstances, elect to extend the review period for a further 4 weeks (Letter 9); or
- the employee has made little or no improvement, and has shown few signs that they will be capable of meeting the required standards the employee will be dismissed on the grounds of capability (letter 10).
- where dismissal is the final outcome the employee will have the right to appeal against this decision.
- if there is a vacant post consider this as an alternative for the employee.

Appeal of Capability Dismissal

13.2.6 Employees have the right to appeal against dismissal on the grounds of capability. Appeals against dismissal must be made in writing within 10 working days to the Strategic Lead of People and Technology, and will be considered by the Appeals Committee. The decision of the Appeal Committee is final.

13.2.7 When lodging an appeal the employee must state the grounds and reasons for the appeal. An appeal will normally be based on one or more of the following grounds:

- procedural flaw/unfairness of penalty;
- new evidence has arisen which was not available and therefore not able to be considered at the original meeting which may have a bearing on the outcome.

14.0 RIGHT TO BE REPRESENTED/ACCOMPANIED AT FORMAL MEETINGS

14.1 Employees have a statutory right to be accompanied at formal capability meetings by a companion who may be:

- a fellow worker
- an official employed by a trade union
- a workplace trade union representative, as long as they have been reasonably certified in writing by their union as having experience of, or having received training in, acting as a worker's companion at disciplinary hearings. Certification may take the form of a card or letter.

14.2 It will not be acceptable to request a specific companion who would not be available to attend the hearing, where this would prevent the hearing taking place within a reasonable timescale, if an alternative companion is more readily available.

14.3 If the companion cannot attend on a proposed date, the employee can suggest an alternative date and time so long as it is reasonable and it is not more than **5** working days after the original date.

14.4 The companion will be allowed to address the meeting, to put and sum up the employee's case, respond on behalf of the employee to any views expressed at the meeting and to confer with the employee during the meeting. The companion, however, cannot answer questions on behalf of the employee or address the meeting if the employee does not wish it.

Appendix A

Examples of support strategies are provided below, not all will be appropriate in every case and this must be decided on an individual basis.

1. **Interim Review meetings**

   Interim review meetings can be used to support the employee by having discussion around problems and solutions and keep a dialogue open between the manager and employee. This gives the manager an opportunity to monitor performance more closely and could allow for early resolution to performance issues.

2. **Shadowing**

   Similar to a mentor it may be possible for an employee to shadow another employee to try to help them develop their skills. Again conversations between the employee and the person they are shadowing will be confidential.

3. **Training**

   Where it is identified that the employee may need training in certain areas to develop their skills they should be given the time to attend the training and in discussion with the employee the line manager will organise the training.

4. **Employee Counselling Service**

   People Asset Management (PAM) covers employees of West-Dunbartonshire Council a confidential counselling service. This service can be accessed through the councils intranet page or by calling the employee helpline number on 0800 9703980.

5. **Further Support Resources**

   http://intranet.west-dunbarton.gov.uk/transformation/people-technology/hr-online/support-for-employees/employee-wellbeing/

Appendix B

Agreed structured improvement plan example

West Dunbartonshire Council

Performance Improvement Action Plan

Name:	Line Manager:
Role:	Date:
Service/Directorate:	Review date(s):

Background summary of current performance, identifying performance areas for development			
Written communications – Frequent mistakes with grammar and spelling in report writing (specific examples could be given here) Tables/Graphs/figures incorrect Documents not being proof read Poor relationships with colleagues/customers – complaints received in relation to the persons attitude Failure to meet deadlines repeatedly (specific examples of how this is affecting the service) Poor quality of work, expected standards not being met.			
Factors Influencing Performance			
Lack of employees/capacity issues Lack of time for employees development Relationship issues within the team			

Actions to address issues including development required, including support/training required and outlining targets for performance. *(clear statement of action))*	**Timescale** *(for completion)*	**Desired Outcome** *(including how this will be measured)*	**Review Notes outlining progress against targets.** *(complete at agreed review date)*
Report writing training course	**3 months**	**Improved report writing skills**	
Assertiveness training	**3 months**	**Less customer/colleague complaints**	
Organising shadowing with a colleague to see how they plan and prioritise their work to meet deadlines	**3 months**	**Meeting deadlines**	

Individual: ……..…… **Line Manager: ……** **Date agreed: ……**

WEST DUNBARTONSHIRE COUNCIL

Report by the Strategic Lead of People and Technology

Corporate Services Committee: 21st August 2019

Subject: Revised Employer Discretions - Local Government Pension Scheme (Scotland)

1. Purpose

1.1 The purpose of this report is to update Committee on the review of the Council's Statement of Policy, and the proposed revisions to the Statement.

2. Recommendations

2.1 It is recommended that Committee:

(1) note the content of this report;
(2) approve the recommended revisions to the Statement of Policy on Discretions; and
(3) agree that the Council's list of discretions will be updated on receipt of the master list.

3. Background

3.1 Scheme employers participating in the LGPS in Scotland are required to formulate, publish and keep under review a Statement of Policy on certain discretions which they have the power to exercise in relation to members of the CARE Scheme. Scheme employers are also required to (or where there is no requirement, are recommended to) formulate, publish and keep under review a Statement of Policy on certain other discretions they may exercise in relation to members of the LGPS.

3.2 The Council's Statement was last approved on 15th May 2015 and since this date there have been amendments to the regulations which now need to be incorporated in to the council's policy statement. This report outlines these changes and is formulated in line with the following regulations:

- ***The Local Government Pension Scheme (Miscellaneous Amendments) (Scotland) Regulations 2019***
- ***The Local Government Pension Scheme (Scotland) Regulations 2018***
- ***The Local Government Pension Scheme (Transitional Provisions and Savings) (Scotland) Regulations 2014***

3.3 As with previous reviews of the council's discretions statement, this review is intended to ensure transparency, fairness and affordability. Cognisance is given to the principles of good practice as recommended by Audit Scotland in the Managing Early Departures report, May 2013 and the Accounts Commission "Scotland's Public Sector Workforce" November 2013. In addition, cognisance has been given to the results of the consultation on a

'Severance Policy for Scotland', and the Minister's intention to encourage Local Government employers to undertake their own governance review.

4. Main Issues

4.1 There are two main changes to the Council's Policy Statement and the revised Statement is attached as Appendix 1 with the specific changes identified. The highlights are set out below:

4.1.1 Regulation R17(1) has been amended to reflect the ability of employers to apply salary sacrifice AVC's. In light of the delay to publication of the final discretions, the Council agreed a Shared Cost AVC Policy at the November 2018 meeting of this committee.

4.1.2 On 28th June 2019 the Local Government Pension Scheme (miscellaneous Amendments) (Scotland) Regulations were enacted. One amendment impacts on the policy statement directly, namely the deletion to regulation 29 (13). This regulation previously required employers consent to retire between 55 and 60. This is no longer required and a member of the scheme can now voluntarily retire when they attain age 55 with an actuarial reduction.

4.2 A full summary of all the changes is attached as Appendix 2. These amendments have been incorporated into standard practice and relevant policies.

4.3 For completeness, the statement of policy has also been updated to capture the aims contained in the letter from Derek McKay (dated 21st June 2019) in respect of the 'Severance Consultation'. It is clear from this that those not subject to the terms of the Scottish Public Finance Manual (SPFM) (such as local government employers), will be encouraged to undertake their own governance review, including the use of discretionary payments. Since 2013, the Council has undertaken two such reviews and this year's exercise offers the opportunity to ensure that those arrangements remain robust. In line with this commitment, an additional section has been added to the statement of policy to capture these principles.

4.4 Since the original master discretions policy document was provided by Strathclyde pension Fund Office in 2015, there have been various regulatory changes and accordingly, the Administering Authority are reviewing the master policy. Once this is received, the council's statement will be amended to include the revisions in this report. This will constitute a technical change and, subject to agreement by this committee, will be updated as delegated.

5. People Implications

5.1 These changes are positive developments for employees, increasing the flexibility and benefits available to them. Once the changes are approved the scheme document will be updated. This is published and available for employees on the Council's intranet.

6. Financial and Procurement Implications

6.1 These changes to the statement of policy have no financial impact or procurement implications and aim to be cost neutral. This can be varied in some circumstances.

6.2 As detailed in the committee report in November 2018, the changes associated with shared cost AVC's by way of salary sacrifice have potential financial benefits to the council and the employees who opt for this.

6.3 In overall terms the discretions scheme covers all discretionary enhancements. The decision to consider any discretionary enhancement would have a financial impact if, and when the discretion was applied. Early release incurring a financial cost to the Council should be supported by a business case, clearly demonstrating that any initial costs will be offset by savings in subsequent years. This is reflected in the agreed cost benefit analysis process and a bi-annual report is submitted to Committee outlining all early departures, costs and savings generated.

7. Risk Analysis

7.1 In determining application of discretions, the Council must strive to maintain public confidence in the manner in which it exercises these powers. Ensuring the application is open, transparent and cost effective will minimise the risk of public confidence diminishing.

8. Equalities Impact Assessment (EIA)

8.1 Discretions available under the LGPS are determined by pension regulations, with employers determining whether or not to exercise specific discretions.

8.2 A number of discretions are age specific and apply to those employees aged 55 (50 protected members) or over. This is not imposed by the Council but is a requirement of the regulations, nevertheless discretions that are age specific will give rise to an adverse impact on account of age. To mitigate this impact, all discretion will be applied in a fair, consistent and transparent manner.

9. Consultation

9.1 The Trades Unions are aware of the requirement to review and re-publish and are informed of changes at the monthly convenors meeting.

10. Strategic Assessment

10.1 Application of discretions supports the Council to adjust its' workforce profile to changing circumstances. Discretions should be applied in a fair and transparent manner, give value for money to the Council and secure service delivery without putting unnecessary financial strain on the Council.

Victoria Rogers
Strategic Lead of People and Technology

Date: 6th August 2019

Person to Contact:	Geraldine Lyden, HR Business Partner. Tele: 01389 737312 Email:Geraldine.lyden@west-dunbarton.gov.uk
Appendices:	Appendix 1 – West Dunbartonshire Council Policy Statement LGPS 2019 Appendix 2 - The Local Government Pension Scheme (Miscellaneous Amendments) (Scotland) Regulations 2019
Background Papers:	CS Committee paper 21st November 2018 - Local Government Pension Scheme (Scotland) Salary Sacrifice Shared Cost AVC's
Wards Affected:	All

Appendix 1

West Dunbartonshire Council Policy Statement LGPS 2019 (Version 2)
(Appendix to Corporate Services Committee Report, 21 August 2019)
Replaces previous version approved 13 May 2015

Employer: West Dunbartonshire Council

Lead officer (for any questions): Victoria Rogers, Strategic Lead of People and Technology

Contact details of lead officer: 07795 266028 (work mobile)

Date of policy statement: 21st August 2019

Date for review: This policy statement will be kept under review and will be revised as and when necessary to reflect changes in regulation or policy. Any changes to this policy will be communicated to the administering authority and scheme members in writing within one month of the change taking effect.

We are aware of our obligations under:

- regulation 58 of SSI 2014 No.164, the LGPS (Scotland) Regulations 2014
- paragraph 2(2) of Schedule 2 to the LGPS (Transitional Provisions and Savings) (Scotland) Regulations 2014
- regulation 61 of the Local Government Pension Scheme (Administration) (Scotland) Regulations 2008 (in respect of leavers between 1 April 2009 and 31 March 2015)
- regulation 105 of the Local Government Pension Scheme (Scotland) Regulations 1998 (in respect of leavers between 1 April 1998 and 31 March 2009

In developing our policy statement, we are aware that the LGPC has produced a document called "Discretions Policies" that contains tips for employers, see: http://www.lgpsregs.org/index.php/scotland/admin-guides

Note: * in the following tables beside a regulation denotes the discretions where we are required to have a policy statement under the regulations

Table 1 details our discretions from 01 04 15 in relation to post 31 03 15 active members and post 31 03 15 leavers.

Table 2 details our discretions in relation to scheme members who ceased active membership on or after 01 04 09 and before 01 04 15.

Table 3 details our discretions under the Local Government Pension Scheme (Scotland) Regulations 1998 (as amended) in relation to pre 01 04 09 scheme leavers.

Table 4 details our discretions under the Local Government Pension Scheme (Scotland) Regulations 1987 (as amended) in relation to pre 01 04 98 scheme leavers.

Table 5 details our discretions under the Local Government (Discretionary Payments and Injury Benefits) (Scotland) Regulations 1998 (as amended).

TABLE 1

The following table details our discretions from 01 04 15 in relation to post 31 03 15 active members and post 31 03 15 leavers, being discretions under:

- the Local Government Pension Scheme (Scotland) Regulations 2014[prefix **R**]
- the Local Government Pension Scheme (Transitional Provisions and Savings) (Scotland) Regulations 2014 [prefix **TP**]
- the Local Government Pension Scheme (Administration) (Scotland) Regulations 2008 [prefix **A**]
- the Local Government Pension Scheme (Benefits, Membership and Contributions) (Scotland) Regulations 2008 (as amended) [prefix **B]**
- the Local Government Pension Scheme (Transitional Provisions) (Scotland) Regulations 2008 [prefix **T]**
- the Local Government Pension Scheme (Scotland) Regulations 1998 (as amended) [prefix **L**]

Regulation	**Discretion**	**Employer's policy on the exercise of this discretion**
R3(1)(b)	Decide which employees to nominate for membership (admission bodies)	Not applicable to WDC as a Scheduled Body. The Council has nominated West Dunbartonshire Leisure Trust and Strathleven Regeneration Company for admitted body membership of the LGPS (No change)
RSch 2, Part 2, para 12(c)	Whether, in respect of an admission body providing a service in respect of outsourced work, to set off against payments due to that body any sums due from that body to the Fund	The Council will consider each case on an individual basis. (No Change)
R9(1) to R9(4)	Determine the rate of employee's contributions	The employee's rate of contributions will be determined in accordance with the relevant regulations (No change)
R9(10)	Determine intervals at which employees' contributions are to be made	The frequency of employee contributions will be determined by the relevant pay cycle (No change)
R16(2)(e)* & R16(4)(d)*	Whether, how much, and in what circumstances to contribute to a shared cost APC scheme	The Council will contribute 2/3rds of the cost to a SCAPC where election would not have been possible within the

		timescales, subject to individual circumstances (No change)
R16(16)	Whether to extend 30 day deadline for member to elect for a shared cost APC upon return from a period of absence from work with permission with no pensionable pay (otherwise than because of illness or injury, child-related leave or reserve force service leave)	The Council will extend the deadline, on production of evidence of extenuating circumstances, for a further 30 days, subject to individual circumstances. (No change)
R17(1) & definition of SCAVC in RSch 1	Whether, and in what circumstances to contribute to a shared cost AVC (SCAVC) scheme.	Scheme members have access to AVC arrangement on a member-only contribution basis or through the 'salary sacrifice' shared cost AVC provision. **(NEW)**
TP15(1)(b) & L65(8) & former L65(9)(b)	Allow late application to convert scheme AVCs into membership credit i.e. allow application more that 30 days after cessation of active membership (where AVC arrangement was entered into before 30/6/05)	The Council will not exercise this discretion and application must be made within timescales. (No change)
R19(2)	No right to a return of contributions due to an offence of a fraudulent character or grave misconduct unless the employer directs a total or partial refund is to be made	The Council will exercise this discretion and will not direct a total or partial refund. (No change)
R20(1)(b)	Specify in an employee's contract what other payments or benefits, other than those specified in **R**20(1)(a) and not otherwise precluded by **R**20(2), are to be pensionable	Elements of pay received by an employee other than those specified in these regulations and not otherwise precluded will only be pensionable if specified as such in the member's contract of employment (No change)
R21(5)	In determining Assumed Pensionable Pay, whether a lump sum payment made in the previous 12 months is a "regular lump sum" Note: see tip 11(iv) available from P10 of the LGPC's "Discretions Policies" document.	The Council will consider each case on its merits. (No change)
R29(5)	Payment of benefits on or after age 55 and before normal retirement age Note: see tip (v) available from P7 of the LGPC's "Discretions Policies" document.	The Council recognises the member's right to elect to receive payment of their pension. In this circumstance the council will not waive the actuarial reduction; will not apply the 85 year rule and consequently, the cost will

		be met by an actuarial reduction to the scheme member's benefits. **(NEW)**
R29(6)* & TP11(2)	Whether all or some benefits can be paid if an employee reduces their hours or grade prior to age 60 (flexible retirement) Note: see tip (iii) available from P5 of the LGPC's "Discretions Policies" document.	The Council will consider applications on an individual basis and may be granted where it can be demonstrated to be to the Council's advantage or in its operational interest and must be cost neutral. In considering requests for flexible retirement, the Council would apply the agreed guidance on Flexible Retirement. (No change)
R29(8)* and TPSch 2, para 2(1)	Whether to waive, in whole or in part, any actuarial reduction on benefits paid on flexible retirement. **Note: any resultant strain cost from the exercise of this discretion will be charged to the employer regardless of the member's age at date of retirement.**	The council will not waive, in whole or in part, any reduction, which would normally be applied to benefits, and therefore any reduction will be met by the employee. (No change)
R29(8)*	Whether to waive, in whole or in part, actuarial reduction on benefits which a member voluntarily draws before normal pension age, other than on the grounds of flexible retirement (where the member only has post 31/3/15 membership) **Note: any resultant strain costs due to the exercise of this discretion will be charged to the employer regardless of the employee's age.**	The Council will not waive the actuarial reduction applied to benefits paid early under regulation R29(5) above. (No change)
TPSch 2, paras 1(2) and 2(1)*	Whether to apply the 85 year rule for a member voluntarily drawing benefits, with employer consent, on or after age 55 and before age 60 (other than on the grounds of flexible retirement).	The Council will not exercise the discretion to apply the 85 year rule on the basis of cost. (No change)
TP3(1), TPSch 2, para 2(1) *	Whether to waive, in whole or in part, any actuarial reduction on pre and post April 2015 benefits which a member voluntarily draws before normal pension age other than on the grounds of flexible retirement (where the member has both pre 1/4/15 and post 31/3/15 membership and is subject to the 85 year rule)	The Council will not waive the actuarial reduction applied to benefits paid early under regulation **TP3(1), TPSch 2, para 2(1) *** (No change)
TP3(1), TPSch 2, para 2(1) and B30(5)*	Whether to waive on compassionate grounds any actuarial reduction on pre April 2015 benefits and to waive, in whole or in part, any actuarial reduction on post April 2015 benefits which a member	The Council will not waive the actuarial reduction applied to benefits paid early under regulation **TP3(1), TPSch 2, para 2(1) ***

	voluntarily draws before normal pension age other than on the grounds of flexible retirement (where the member has both pre 1/4/15 and post 31/3/15 membership and is **not** subject to the 85 year rule)	(No change)
R30*	Whether to grant additional pension to an active member or within 6 months of ceasing to be an active member by reason of redundancy or business efficiency (by up to £5,000 p.a.)	The Council will not exercise this discretion. (No change)
TP12(4)	Whether to use a certificate produced by an IRMP under the 2009 Scheme for the purposes of making an ill health determination under the 2015 Scheme.	The Council will exercise this discretion. (No change)
R89(1) & (8) **R89(4)**	Whether to apply to Scottish Ministers for a forfeiture certificate (where a member is convicted of a relevant offence) and subsequently whether to direct that benefits are to be forfeited (other than rights to GMP* – but see **R**92 below) *guaranteed minimum pension	The Council will apply for a forfeiture certificate where a member is convicted of a relevant offence and, following the issue of the certificate, direct that benefits are to be forfeited. (No change)
R90(2)	Whether to recover from the fund any monetary obligation or, if less, the value of the member's benefits (other than transferred in pension rights or AVCs / SCAVCs) where the obligation was as a result of a criminal, negligent or fraudulent act or omission in connection with the employment and as a result of which the person has left the employment.	The Council will recover from Strathclyde Pension Fund the amount of loss in cases of criminal, negligence or fraudulent acts by a member, provided that other means of recovery have been exhausted. (No change)
R92	Whether, if the member has committed treason or been imprisoned for at least 10 years for one or more offences under the Official Secrets Acts, forfeiture under **R**89 or recovery of a monetary obligation under **R**90 should deprive the member or the member's surviving spouse or civil partner of any GMP (guaranteed minimum pension) entitlement	The Council will apply for a forfeiture certificate where a member is convicted of a relevant offence and, following the issue of the certificate, direct that benefits are to be forfeited. (No change)
R96(1)(b)	Agree to bulk transfer payment	The Council will consult with SPFO and the fund actuaries in this regard. (No change)
R98(6)	Extend normal time limit for acceptance of a transfer value beyond the 12 month time limit from joining the LGPS	The Council will not extend the normal time limit for acceptance of a transfer value beyond 12 months from joining the scheme. (No change)

TP3(6), **TP**4(6)(c), **TP**8(4), **TP**10(2)(a), **TP**17(2)(b) & **B**11(2)	Whether to allow a member to select final pay period for fees to be any 3 consecutive years ending in the 10 years prior to leaving and ending on the anniversary of the date of leaving	The Council will allow a member to select final pay for fees to be any three consecutive years ending 31st March in the 10 years prior to leaving. The Council agree that this will be done automatically by SPFO. (No change)
TP3(1)(a), A43(5)	Issue a certificate of protection of pension benefits where eligible non-councillor member fails to apply for one (pay cuts / restrictions occurring pre 01 04 15)	The Council will issue a certificate of protection of pension benefits where the member fails to apply for one. (No change)

TABLE 2

The following table details our discretions in relation to scheme members who ceased active membership on or after 01 04 09 and before 01 04 15, being discretions under:

- the Local Government Pension Scheme (Administration) (Scotland) Regulations 2008 [prefix **A**]
- the Local Government Pension Scheme (Benefits, Membership and Contributions) (Scotland) Regulations 2008 (as amended) [prefix **B**]
- the Local Government Pension Scheme (Transitional Provisions) (Scotland) Regulations 2008 [prefix **T**]
- the Local Government Pension Scheme (Transitional Provisions and Savings) (Scotland) Regulations 2014 [prefix **TP**]
- the Local Government Pension Scheme (Scotland) Regulations 2014 [prefix **R**]
- the Local Government Pension Scheme (Scotland) Regulations 1998 (as amended) [prefix **L**]

Regulation	**Discretion**	**Employer's Policy on the exercise of this discretion**
B12*	Whether, for a member leaving on the grounds of redundancy or business efficiency on or before 31st March 2015, to augment membership (by up to 10 years). The resolution to do so would have to be made within 6 months of the date of leaving. Hence this discretion is spent entirely after 30th September 2015	The Council will not exercise this discretion. (No change)
A42(2)	No right to a return of contributions due to an offence of a fraudulent character or grave misconduct unless the employer directs a total or partial refund is to be made	The Council will not direct a return of contributions in the event of an offence of a fraudulent character or grave misconduct. (No change)
A43(5)	Employer may issue a certificate of protection where an employee fails to apply for one.	The Council will issue a certificate of protection of pension benefits where the member fails to apply for

		one. (No change)
A45 (1) & (2)	Whether Contribution Equivalent Premium (CEP) in excess of the Certified Amount (CA) recovered from a refund of contributions can be recovered from the Pension Fund.	The Council will consider each case on its individual merits. (No change)
A66 (2) & (6) **A67 (1) & (2)**	Whether to apply for a forfeiture certificate (where a member is convicted of a relevant offence) and subsequently whether to direct that benefits are to be forfeited.	The Council will apply for a forfeiture certificate where a member is convicted of a relevant offence and, following the issue of the certificate, direct that benefits are to be forfeited. (No change)
A68(2)	Whether to recover from the fund any monetary obligation or, if less, the value of the member's benefits (other than transferred in pension rights or AVCs / SCAVCs) where the obligation was as a result of a criminal, negligent or fraudulent act or omission in connection with the employment and as a result of which the person has left the employment.	The Council will recover from Strathclyde Pension Fund the amount of loss in cases of criminal, negligence or fraudulent acts by a member, provided that other means of recovery have been exhausted. (No change)
A70(2) & (3)	Whether to recover from the fund any financial loss caused by fraudulent offence or grave misconduct of an employee(who has left because of that) or amount of refund if less	The Council will recover from Strathclyde Pension Fund the amount of loss caused by fraudulent offence or grave misconduct of employee (who has left because of that), or the amount of refund if less. (No change)
B11(2)	Whether to allow a member to select a final pay period for fees to be any three consecutive years ending with 31st March in the 10 years prior to leaving.	The Council will allow a member to select final pay for fees to be any three consecutive years ending 31st March in the 10 years prior to leaving. The Council agree that this will be done automatically by SPFO. (No change)
B30(2)*	Whether to grant application for early payment of benefits on or after age 50/55 and before normal retirement age.	The Council will consider applications on a case by case basis subject to cost benefit analysis. (No change)

TABLE 3

The following table details our discretions under the Local Government Pension Scheme
(Scotland) Regulations 1998 (as amended) in relation to pre 01 04 09 scheme leavers.

Regulation	Discretion	Employer's policy on the exercise of this discretion
30(2)*	Grant application from a post 31 03 98 / pre 01 04 09 leaver for early payment of benefits on or after age 50 and before age 60.	The Council will not exercise this discretion. (No change)
30 (5)*	Waive, on compassionate grounds, the actuarial reduction applied to benefits paid early for a post 31 03 98 / pre 01 04 09 leaver **Note: any resultant strain cost from the exercise of this discretion will be charged to the employer regardless of the member's age at date of retirement.**	The Council will not exercise this discretion. (No change)
30 (7A)*	Pre 01 04 09 optants out only to get benefits paid from NRD if employer agrees.	The Council will not exercise this discretion. (No change)
33 (1)(b)	Decide, in the absence from a post 31 03 98 / pre 01 04 09 leaver of an election from the member within 3 months of being able to elect, which benefit is to be paid where the member would be entitled to a pension or retirement grant under 2 or more regulations in respect of the same period of Scheme membership.	The Council will consider each case on its merits. (No change)
70(7)(a)	Consent to a member's former employer assigning to the new employer rights under any SCAVC life assurance policy.	The Council will not exercise this discretion. (No change)
87 (2)	No right to return of contributions due to offence of a fraudulent character unless employer directs a total or partial refund is to be made (pre 01 04 09 leavers).	The Council will not direct a return of contributions in the event of an offence of a fraudulent character or grave misconduct. (No change)
91	Contribution Equivalent Premium (CEP) in excess of the Certified Amount (CA) recovered from a refund of contributions can be recovered from the Pension Fund (pre 01 04 09 leavers).	The Council will consider each case on its merits. (No change)
111(2) &(5) 112(1)	Forfeiture of pension rights on issue of Secretary of State's certificate (pre 01 04 09 leavers).	The Council will apply for a forfeiture certificate where a member is convicted of a

	Where forfeiture certificate is issued, direct interim payments out of Pension Fund until decision is taken to either apply the certificate or to pay benefits (pre 01 04 09 leavers).	relevant offence and, following the issue of the certificate, direct that benefits are to be forfeited. (No change)
113(2)	Recovery from Fund of monetary obligation owed by former employee or, if less, the value of the member's benefits (other than transferred in pension rights) (pre 01 04 09 leavers).	The Council will seek recovery from Strathclyde Pension Fund where other internal avenues have been exhausted. (No change)
115(2) & (3)	Recovery from Fund of financial loss caused by employee, or amount of refund if less (pre 01 04 09 leavers).	The Council will seek recovery from Strathclyde Pension Fund where other internal avenues have been exhausted. (No change)

TABLE 4

The following table details our discretions under the Local Government Pension Scheme
(Scotland) Regulations 1987 (as amended) in relation to pre 01 04 98 scheme leavers.

Regulation	Discretion	Employer's policy on the exercise of this discretion
E2(6)(b)	Grant application from a pre 01 04 98 leaver for early payment of benefits on or after age 50 and before age 60.	The Council will not exercise this discretion. (No change)

TABLE 5

The following table details our discretions under the Local Government (Discretionary Payments and Injury Benefits) (Scotland) Regulations 1998 (as amended)

D 4 (1)	Power to increase statutory redundancy payments above statutory weekly pay limit.	Where redundancy is linked to the award of CAY (compensatory added years), payment will be subject to the statutory weekly limit. Dependent on individual and financial circumstances, the Council may increase the limit up to

		actual week pay subject to the relevant policy. (No change)
D 8(1)	Decision on whether to award compensatory added years to an individual on retirement on efficiency / redundancy grounds.	The Council may award up to 3 added years for retirement on redundancy grounds and up to 5 years for those on efficiency grounds. Any award will be subject to cost benefit analysis and the limits of affordability at the time of proposed release. (No change)
D 35	Decision to award up to 104 weeks compensation instead of compensatory added years.	The Council will consider awarding compensation up to 60 weeks (using the statutory redundancy table with a multiplier of 2, known as the 'enhanced table'). Eligible employees will either be scheme members with at least 2 years continuous service and under 55 years (50 for protected members) or employees who are non-members of the scheme. Any award will be subject to cost benefit analysis and the limits of affordability at the time of proposed release. (No change)

Commitments and Aims

Statement
The Council has a responsibility to exercise discretion in a fair, consistent, manner and act in the best interests of the organisation, the community and the pension fund. The following sections detail the council's commitments in particular circumstances.

Re-employment of individuals who have left the Council through early retirement/voluntary severance.

In line with the Accounts Commission report on "Managing Early Departures from the Scottish Public Sector", where an individual leaves the employment of the Council through early retirement/voluntary severance the individual will be unable to seek re-employment with the Council at a future date. Any re-employment of former employees would be in exceptional circumstances only and must have prior approval from the Strategic Lead of People and Technology.

Cost Benefit Analysis/Voluntary Early Retirement/Voluntary Severance.

To comply with best value principles, it is the aim and commitment of West Dunbartonshire Council to set a consistent maximum pay-back period of two years for voluntary early retirement or severance.

In line with current processes, all Cost Benefit Analysis (CBA) are considered and approved on their merits, with consideration of current financial position and previous approaches. Approval is thereafter required of the Strategic Leads - People and Technology and Resources, followed by the, Chief Executive. The Council reserves the right to vary this pay-back period in exceptional circumstances and on submission of a robust business justification.

The application of S20 Certificate of Protection

Regulation 22 of the Local Government Pension Scheme (Scotland) Regulations 1998 provides a degree of protection for members who suffer a reduction in their pensionable pay through circumstances outwith their control including the member's ill health. This provision is carried forward by regulation 43 of The Local Government Pension Scheme (Administration) (Scotland) Regulations 2008.

Circumstances outwith an employees control are defined as being:

a. the employer compulsorily changed the employment resulting in a lower grade
b. Job Evaluation exercise
c. Equal pay correction
d. Ill health
e. Cessation of pensionable payments, compulsorily made

In the event that an employee suffers a reduction in their pensionable pay due to their own conduct (disciplinary sanctions) or circumstances in which their was other alternative options they will not be eligible or covered by this protection.

##########################ENDS#####################################

Appendix 2

The Local Government Pension Scheme (Miscellaneous Amendment (Scotland) Regulations 2019 ~ Effective 28th June 2019

Survivor pensions ~ cohabiting partners

One of the conditions for paying a pension to a surviving, cohabiting partner has been relaxed. Previously, a member must have been free to marry or form a civil partnership with their cohabiting partner for a continuous period of two years prior to their date of death. The requirement now is that they must have been free to marry or form a civil partnership **solely at the date of death**. The other qualifying conditions are that, for a continuous period of two years;

- Member and partner have lived together as husband and wife, or civil partners
- Partner is financially dependent on the member, or both are financially interdependent

Deferred and Pension Credit members ~ Access from age 55

Deferred and Pension Credit members can elect to access their benefits upon attaining the age of 55, provided they are no longer in the employment which gave rise to the benefit. Benefits which are accessed before Normal Pension Age will be subject to actuarial reductions. Scheme Employers will still have discretion to waive any actuarial reductions, or to 'switch on' any rule of 85 protections a member may have.

Authorised leave

Members who are on authorised leave for a continuous period of less than 31 days (other than through illness or injury) and receive reduced or no pay, ***must*** pay member contributions on the pay they would have received, but for the absence. Any period after that will continue to be treated as now, with members directed to applying for an APC should they wish to do so.

Member contributions

A member cannot make contributions to the scheme on or after the day before they turn 75.

Assumed Pensionable Pay (APP) ~ ill health retirement and death benefits

In most cases, when a member retires on ill health grounds, pensions are enhanced based on their APP. The same applies to spouse, partner and children's pensions where an active member dies in service. Previously, these enhancements were based on the member's actual, part time APP. For members who reduce their hours due to illness prior to either death in service or retirement on ill health occurring, no account of the reduction will be taken when calculating enhanced benefits. **Further guidance to follow from SPPA.**

Note: This amendment effective from 1st April 2015

This briefing is based on the following regulations:

The Local Government Pension Scheme (Scotland) Regulations 2018
The Local Government Pension Scheme (Transitional Provisions and Savings) (Scotland) Regulations 2014
The Local Government Pension Scheme (Miscellaneous Amendments) (Scotland) Regulations 2019